

**THE EXPERIENCE OF POVERTY IN THE CLEOBURY
MORTIMER UNION PARISHES, SHROPSHIRE, 1770 - 1870**

by

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the degree of DOCTOR OF PHILOSOPHY**

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This thesis is dedicated to my
wife Jean, who never knew that
I had completed it.



Abstract

This study explores several aspects of the lived experience of poverty, during the period 1770-1870 under both the old and new poor laws, in Cleobury Mortimer and the sixteen surrounding parishes in south-east Shropshire and adjacent Worcestershire, which eventually formed the Cleobury Mortimer Poor Law Union. It covers the major themes which influenced poverty by examining the experience of poverty at four defined life-stages of individual paupers: childhood, young adulthood, family life and old age. It addresses the following questions: to what extent were poor children encouraged by the regime of poor relief to escape poverty, or did it simply provide subsistence levels of support; how far were the harsh laws relating to settlement and bastardy applied; what was the plight of families in and out of the workhouse; and how did the poor fare in illness and at the end of their lives. It considers in detail how the poor laws were applied both before and after the introduction of the new poor law in 1834 and examines how far the operation of relief created ‘welfare states in miniature’, a term originally coined by Mark Blaug and elaborated by Keith Snell to describe the operation of the poor laws in rural parishes before 1834. The study illuminates the experience of poverty in the Cleobury Mortimer union parishes in the under-researched county of Shropshire and demonstrates how isolated rural communities looked after their poor: under the old poor law there are definite indications that the hardship was minimised by the parish authorities – and it could only have been intentionally so. It finds a strong sense of a willingness to treat the poor with respect under the old poor law, though it is clear that things changed once the new poor law came into effect. The research findings throw light on class relations in a set of rural communities before and after 1834 by highlighting differences and power relationships between the landed class and the farmers and professionals, whose

attitude towards the poor was very different. The methodological approach allowed a number of case studies to be uncovered from source material, which proved to be a productive means of generating a greater insight into the experience of poverty and the impact of the poor laws.

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List of abbreviations and conventions used in this thesis

Abbreviations

Correspondence	Correspondence with Cleobury Mortimer Poor Law Union, National Archives MH 12 series
HW	Church of St Michael and All Angels, Hopton Wafers
PLB	The Poor Law Board
PLC	The Poor Law Commission
PLR	<i>Report from His Majesty's Commissioners for Inquiring into the Administration and Practical Operation of the Poor Laws.</i> (44), 1834
SA	Shropshire Archives
TNA	National Archives
WAAS	Worcestershire Archives and Archaeology Service
WCRO	Warwickshire County Record Office

Numbers from one to one hundred are spelled out in full, except where they denote ages, or percentages, in which case they are shown as figures.

Direct quotations are shown in single quote marks.

Double quote marks are used for emphasis.

In footnotes, references to material in Shropshire Archives without any parish name are to Cleobury Mortimer parish or to the Cleobury Mortimer Poor Law Union after 1834.

References to “the board” are to the Cleobury Mortimer Board of Guardians, unless the context makes clear otherwise

References to “guardians” are to the Guardians of the Cleobury Mortimer Union, unless the context makes clear otherwise

References to the “union” are to the Cleobury Mortimer Poor Law Union, unless the context makes clear otherwise

1. Introduction

This study explores the lived experience of poverty, under both the old and new poor laws, in Cleobury Mortimer and the surrounding parishes that eventually formed the Cleobury Mortimer Poor Law Union, by examining in detail the surviving parish and poor law records.¹ It developed from general research into the history of the Cleobury Mortimer area in Shropshire, carried out as chairman of the Cleobury Mortimer and District History Society and writing articles for its journal. Although there has been some academic research focused on Shropshire, only two studies relate to the poor laws and neither cover south-east Shropshire.² The discovery of a rich set of source material prompted further work to bridge a major research and knowledge gap.

The thesis deals with the major poverty themes of employment, illegitimacy, apprenticeships, settlement and migration, education, medical treatment, crime and punishment, outdoor relief and the workhouse. However, it does so by looking individually at four different life stages: childhood; young adulthood; family life – from parenthood into old age; illness and death. The dates chosen for the research span the hundred years from 1770 onwards: sixty-five years before and forty years after the changes in the poor laws, up to the abolishment of the Poor Law Board and the formation of the Local Government Board. The start date is the common date of the earliest surviving records. The present chapter

¹ The Cleobury Mortimer Poor Law Union was formed on July 15th 1836 comprising the parishes of Aston Botterell, Cleobury Mortimer, Coreley, Farlow, Highley, Hopton Wafers, Kinlet, Loughton, Milson, Neen Savage, Neen Sollars, Silvington, Stottesdon, Wheathill [all Shropshire], Bayton, Mamble, Rock [Worcestershire] and the extra parochial area of Woodhouse [from 1862].

² Vincent J. Walsh, 'The Administration of the Poor Laws in Shropshire, 1820-1855' (Unpublished PhD thesis, University of Pennsylvania, 1970); J Hill, 'A Study of Poverty and Poor Relief in Shropshire, 1550-1685' (unpublished MA dissertation, University of Liverpool, 1973); K.W.G. Goodman, 'Hammerman's Hill: The Land, People and Industry of the Titterstone Cleve Hill Area of Shropshire from the Sixteenth to the Eighteenth Centuries' (Unpublished PhD thesis, University of Keele, 1978); Joseph Phillip Dodd, 'Shropshire Agriculture 1793-1870' (Unpublished PhD thesis, University of London, 1981); Richard Hayman, 'The Shropshire Wrought-Iron Industry C1600-1900 - a Study of Technological Change' (Unpublished PhD thesis, University of Birmingham, 2003); J.P. Sumbler, 'Child Poverty in Victorian Shropshire: Children and the Shropshire Poor Law Unions 1834-1870' (Unpublished PhD thesis, Keele University, 2016).

introduces the study by providing an initial context, a literature review, an overview of the methodology and sources used, plus an outline of the thesis itself.

1.1 General literature review

Forty academic theses have been found whose subject is the poor law in England.³ Of these, only nine focus on a particular life stage, though four of those deal with the themes of education and illness. The remaining five look at childhood, adult life and (three) at the aged. There are few poor law studies focused on Shropshire. Jeff Sumbler's recent analysis of child poverty was the first since Janet Livingstone included the industrial school at Quatt in her study of pauper education in Victorian England. Before that there is only the thesis by Vincent Walsh on the administration of the poor laws in Ellesmere, Shrewsbury and the north east of the county.⁴ It is thirty years since Mary Barker-Read claimed that her thesis broke new ground in poor law studies, by focusing on a particular social group, the aged poor.⁵ Twenty-five years before Steve King pointed out that detailed local studies of poverty and the operation of the poor laws were notable by their absence,⁶ Geoffrey Oxley had concluded that 'there is no history of poor relief upon which to ground one's study, only the history of poor relief in various parishes'.⁷ Whatever the contradiction, gaps are being filled: nearly one third of the total academic theses found since are devoted to (relatively) local studies.

³ There may well be more. The search was conducted using the British Library thesis database (ethos.bl.uk), the libraries of major English universities and the commercial database, "Proquest Dissertations and Theses Online," [Accessed: October 15th 2014] <https://www.proquest.com/products-services/pqdtglobal.html>.

⁴ Janet E. Livingstone, 'Pauper Education in Victorian England: Organisation and Administration within the New Poor Law, 1834-1880' (Unpublished PhD thesis, London Guildhall University, 1993); Walsh, 'The Administration of the Poor Laws in Shropshire, 1820-1855'; Sumbler, 'Child Poverty in Victorian Shropshire: Children and the Shropshire Poor Law Unions 1834-1870'.

⁵ Mary Barker-Read, 'The Treatment of the Aged Poor in Five Selected West Kent Parishes from Settlement to Speenhamland (1662-1797)' (Unpublished PhD thesis, Open University, 1989).

⁶ Steven King, *Poverty and Welfare in England, 1700-1850: A Regional Perspective* (Manchester: Manchester University Press, 2000), p.3.

⁷ Geoffrey Oxley, *Poor Relief in England and Wales; 1601-1834* (Newton Abbot: David & Charles, 1974), p.12.

It would be presumptuous to attempt to cover the very extensive literature on poverty and the poor laws which, despite Hugh Cunningham's pessimistic view that 'for those seeking guidance, the historiography is likely to impart confusion',⁸ is wide-ranging, generally illuminating and often gives rise to fierce, but healthy, debate. Tony Wrigley defines the reality of poverty as 'bitter and particular: a hungry child, apathetic from lack of food; a shivering family unable to buy fuel in a harsh winter; the irritation of parasites in dirty clothing and the accompanying sores and stench'.⁹ This serves, as Wrigley claims, to underpin Tim Wales' argument that 'the history of poor relief is important not simply for itself, but as a way into the history of poverty and local society and economy generally'.¹⁰ It is difficult, though, to unpick what King termed a 'whole range of overlapping and contradictory perspectives on the character of the Poor Laws old and new'.¹¹

King argued that the Poor Law was not a parochial phenomenon but should be viewed in a broadly regional context,¹² yet also argued that local variations in generosity were always dependent upon vestry composition, the vociferousness of local ratepayers or constraints on the local tax base.¹³ This latter argument is supported by Steve Hindle who held that 'formal poor relief was, above all, bureaucratic, involving systematic processes of decision making about how the resources of the parish should be marshalled and to whom they ought to be distributed', with payments to the poor dependent upon the economic prosperity of the

⁸ Hugh Cunningham, 'Histories of Childhood', *The American Historical Review* 103, no. 4 (1998), p.1195.

⁹ E.A. Wrigley, 'Why Poverty Was Inevitable in Traditional Societies', in *Transition to Modernity: Essays on Power, Wealth and Belief*, ed. John A. Hall, I. C. Jarvie, and Ernest Gellner (Cambridge: Cambridge University Press, 1992), p.212.

¹⁰ Tim Wales, 'Poverty, Poor Relief and the Life-Cycle: Some Evidence from Seventeenth Century Norfolk', in *Land, Kinship and Life-Cycle*, ed. Richard M. Smith (Cambridge: Cambridge University Press, 1984), p.386.

¹¹ King, *Poverty and Welfare in England*, p.49.

¹² Idem, *passim*. According to King, under the Old Poor Law a fairly clear divide separated a benevolent and generous regime in the south and east from the system in the north and west of England which was harsh and exclusionary.

¹³ Steve King, '"Meer Pennies for My Baskitt Will Be Enough": Women, Work and Welfare, 1770-1830', in *Women, Work and Wages in England, 1600-1850*, ed. Penelope Lane, Neil Raven, and K.D.M. Snell (Woodbridge, Suffolk: Boydell Press, 2004), p.129.

parish.¹⁴ This echoes the findings of Christopher Lawrence that poor relief was by necessity dependent upon factors determined by particular localities and their cultural influences, such as regional, local, familial and religious traditions and beliefs.¹⁵ What King termed the 1601 principle of ‘local poverty – local relief’,¹⁶ epitomised a machinery which once established and operational was widely accepted, but neither uniformly harsh nor benign.¹⁷

Gilbert’s Act of 1782 enabled the first breach of the 1601 principles by permitting parishes to come together in a union.¹⁸ Unions were a central provision of the Poor Law Amendment Act of 1834,¹⁹ when much of the control was centralised in the form of the Poor Law Commission, replaced in 1847 by the Poor Law Board. Although the new system was highly regulated, Derek Fraser, for example, was of the opinion that ‘uniformity and centralisation...[were] more image than reality’,²⁰ and that the ‘power of discretion remained in local hands’,²¹ as was Kidd who thought overseers and guardians enjoyed a significant degree of autonomy from central state control.²² Detailed local research suggests this was not always the case, as will be made clear throughout this study and was found by, for example, Christine Seal in her study of Belper and Cheltenham Poor Law Unions, where time and again it was found the guardians sought advice from the central board for an action under the 1834 Act.²³

¹⁴ Steve Hindle, *On the Parish?: The Micro-Politics of Poor Relief in Rural England c.1550-1750* (Oxford: Oxford University Press, 2004), pp.228,262.

¹⁵ Christopher Lawrence, *Medicine in the Making of Modern Britain, 1700-1920* (Abingdon: Routledge, 1994), p.8.

¹⁶ King, *Poverty and Welfare in England*, p.25.

¹⁷ Lynn Hollen Lees, *The Solidarities of Strangers: The English Poor Laws and the People, 1700-1948* (Cambridge: Cambridge University Press, 2006), pp.11,19.

¹⁸ 22 Geo. 3 c.83 *An Act for the better relief and employment of the poor*, 1782.

¹⁹ 4 & 5 Will. IV *An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales*, 1834.

²⁰ Derek Fraser, 'The English Poor Law and the Origins of the British Welfare State, 1850-1959', in *The Emergence of the Welfare State in Britain and Germany*, ed. W.J. Mommsen and W. Mock (London: Croom Helm, 1981), p.20.

²¹ *The New Poor Law in the Nineteenth Century* (London: Macmillan, 1976), p.19.

²² Alan Kidd, *State, Society, and the Poor in Nineteenth-Century England*, Social History in Perspective (Basingstoke: Macmillan Publishing Company, 1999), p.1.

²³ Christine V. Seal, 'Poor Relief and Welfare: A Comparative Study of the Belper and Cheltenham Poor Law Unions, 1780 to 1914' (Unpublished PhD thesis, University of Leicester, 2010), p.9.

Notwithstanding the local, distinctive perspective, there are some broad general works that provide a foundation for scholarship on the poor laws, by Sidney and Beatrice Webb and more recently by Derek Fraser, Michael Rose, Anne Digby, Anthony Brundage, Margaret Crowther, Pat Thane, Geoffrey Finlayson and David Englander.²⁴ It would be impractical to explore fully the historiography of the poor law in this introduction, given the breadth and depth of research already undertaken into the operation and impact of the poor laws, but each of the other chapters will deal with the secondary literature where the context requires. A number of writers have added a great deal to the study and discussion of poor law themes. For example, on the question of settlement laws there are Hindle, King, Norma Landau, Lynn Hollen Lees, Snell and James Taylor amongst others.²⁵ Along with Crowther's work on the workhouse there are books by Frank Crompton, Simon Fowler, Norman Longmate, Trevor May and Peter Wood.²⁶ Richard Adair (though dealing with an earlier period than this study), Ginger Frost,

²⁴ These authors are responsible for many important works including, for example: Anthony Brundage, *The Making of the New Poor Law: The Politics of Inquiry, Enactment and Implementation, 1832-39* (London: Hutchinson, 1978); *The English Poor Laws, 1700-1930* (Basingstoke ; New York: Palgrave, 2002); M. A. Crowther, *The Workhouse System 1834-1929: The History of an English Social Institution* (London: Batsford Academic and Educational, 1981); Anne Digby, *The Poor Law in Nineteenth-Century England and Wales* (London: Historical Association, 1982); David Englander, *Poverty and Poor Law Reform in Nineteenth-Century Britain, 1813-1914: From Chadwick to Booth* (London: Routledge, 2013); Fraser, *The New Poor Law in the Nineteenth Century*; 'The English Poor Law and the Origins of the British Welfare State, 1850-1959'; Michael E. Rose, *The English Poor Law, 1780-1930* (Newton Abbot: David & Charles, 1971); 'The Allowance System under the New Poor Law', *The Economic History Review* 19, no. 3 (1966); Sidney Webb and Beatrice Webb, *English Poor Law Policy* (London: Longmans, Green & Co, (1910) 1913).

²⁵ Steve Hindle, 'A Sense of Place? Becoming and Belonging in the Rural Parish, 1550-1650', in *Communities in Early Modern England: Networks, Place, Rhetoric*, ed. Alexandra Shepard and Phil Withington (Manchester: Manchester University Press, 2000); Steven King, 'Poor Relief, Settlement and Belonging in England, 1780s to 1840s', in *Migration, Settlement and Belonging in Europe, 1500-1930s : Comparative Perspectives*, ed. Steven King and Anne Winter (New York: Berghahn, 2013); Norma Landau, 'The Eighteenth-Century Context of the Laws of Settlement', *Continuity and Change* 6, no. 03 (1991); 'Who Was Subjected to the Laws of Settlement? Procedure under the Settlement Laws in Eighteenth-Century England', *The Agricultural History Review* 43, no. 2 (1995); Lees, *The Solidarities of Strangers*; K. D. M. Snell, 'Settlement, Poor Law and the Rural Historian: New Approaches and Opportunities', *Rural History* 3, no. 02 (1992); 'Pauper Settlement and the Right to Poor Relief in England and Wales', *Continuity and Change* 6, no. 03 (1991); James Stephen Taylor, 'The Impact of Pauper Settlement 1691-1834', *Past & Present* 73, no. 1 (1976).

²⁶ Frank Crompton, *Workhouse Children* (Stroud: Sutton Publishing, 1997); Simon Fowler, *Workhouse: The People, the Places, the Life Behind Doors* (London: National Archives, 2006); Trevor May, *The Victorian Workhouse* (Princes Risborough: Shire, 1997); Peter Wood, *Poverty and the Workhouse in Victorian Britain* (Stroud: Alan Sutton, 1991); Norman Longmate, *The Workhouse: A Social History* (London: Pimlico, (1974) 2003).

Ursula Henriques, Peter Laslett, Anthea Newman, Thomas Nutt, Barry Reay, and Leonard Schwarz cover the issue of bastardy.²⁷

There is not as much literature on the different life stages, though there are some substantial studies of old age and childhood. Laslett and Richard Wall provide sources for key works on families.²⁸ Cunningham looked at how society at the time thought the children of the poor should be treated, and works by James Walvin, Ivy Pinchbeck and Margaret Hewitt provide useful background.²⁹ Contemporary accounts such as that by James Burn give an insight into the life of a vagrant family,³⁰ and whilst her book on education does not cover rural schools as might have been expected, Pamela Horn has done much to uncover some of

²⁷ Richard Adair, *Courtship, Illegitimacy and Marriage in Early Modern England* (Manchester: Manchester University Press, 1996); Ginger S. Frost, *Living in Sin: Cohabiting as Husband and Wife in Nineteenth-Century England* (Manchester: Manchester University Press, 2008); Ursula Henriques, 'Bastardy and the New Poor Law', *Past & Present*, no. 37 (1967); Steven King, 'The Bastardy Prone Sub-Society Again: Bastards and Their Fathers and Mothers in Lancashire, Wiltshire and Somerset, 1800-1840', in *Illegitimacy in Britain, 1700-1920*, ed. Alys Levene, Thomas Nutt, and Samantha Williams (Basingstoke: Palgrave Macmillan, 2005); Peter Laslett, 'The Bastardy Prone Sub-Society', in *Bastardy and Its Comparative History*, ed. Peter Laslett, Karla Oosterveen, and Richard M. Smith (London: Edward Arnold, 1980); Peter Laslett and Karla Oosterveen, 'Long-Term Trends in Bastardy in England: A Study of the Illegitimacy Figures in the Parish Registers and in the Reports of the Registrar-General, 1561-1960', *Population Studies* 27, no. 2 (1973); Peter Laslett, Karla Oosterveen, and Richard M. Smith, eds., *Bastardy and Its Comparative History: Studies in the History of Illegitimacy and Marital Nonconformism in Britain, France, Germany, Sweden, North America, Jamaica and Japan* (London: Edward Arnold, 1980); Alys Levene, Thomas Nutt, and Samantha Williams, eds., *Illegitimacy in Britain, 1700-1920* (Basingstoke: Palgrave Macmillan, 2005); A. Newman, 'An Evaluation of Bastardy Recordings in an East Kent Parish', in *Bastardy and Its Comparative History*, ed. Peter Laslett, Karla Oosterveen, and Richard M. Smith (London: Edward Arnold, 1980); Barry Reay, *Popular Cultures in England 1550-1750* (London: Longman, 1998); L. Schwarz, 'Illegitimacy in Britain, 1700-1920', *Economic History Review* 60, no. 4 (2007).

²⁸ Peter Laslett, 'The History of Aging and the Aged', in *Family Life and Illicit Love in Earlier Generations* (Cambridge: Cambridge University Press, 1978); Peter Laslett, Jean Robin, and Richard Wall, *Family Forms in Historic Europe* (Cambridge: Cambridge University Press, 1983); Peter Laslett and Richard Wall, *Household and Family in Past Time: Comparative Studies in the Size and Structure of the Domestic Group over the Last Three Centuries in England, France, Serbia, Japan and Colonial North America, with Further Materials from Western Europe* (Cambridge: Cambridge University Press, 1972).

²⁹ Hugh Cunningham, *The Children of the Poor: Representations of Childhood since the Seventeenth Century* (Oxford: Blackwell, 1991); James Walvin, *A Child's World: A Social History of English Childhood, 1800-1914* (Harmondsworth: Penguin Books, 1982); Ivy Pinchbeck and Margaret Hewitt, *Children in English Society - from Tudor Times to the Eighteenth Century*, ed. Margaret Hewitt, vol. 1, *Children in English Society* (London: Routledge and Kegan Paul, 1973).

³⁰ James Burn, *The Autobiography of a Beggar Boy: In Which Will Be Found Related the Numerous Trials, Hard Struggles, and Vicissitudes of a Strangely Chequered Life; with Glimpses of Social and Political History over a Period of Fifty Years* (London: William Tweedie, 1855).

the realities of childhood in the nineteenth century.³¹ There is no work on old age similar to that of Philip Ariès on childhood.³² However, the works of Richard Smith, Thane, Margaret Pelling and David Thomson have all provided considerable detail on old age and the elderly.³³ The pauper's view of death is covered in Ruth Richardson's book and S. J. Wright describes local customs³⁴

In addition to the academic theses on poverty and related subjects, useful material can be found in the work of Lance Smith who wrote about workhouses as structures,³⁵ Phillip Dodd on Shropshire agriculture and Keith Goodman on the Clee Hill.³⁶ The majority of other work focuses on the history of the Ironbridge and Coalbrookdale areas in the Industrial Revolution and the families involved. The early nineteenth-century accounts of Charles Hulbert and Joseph Plymley provided useful reference material.³⁷

³¹ Pamela Horn, *Children's Work and Welfare 1780-1890* (Cambridge: Cambridge University Press, 1994); *Education in Rural England 1800-1914* (New York: St. Martin's Press, 1978); *The Victorian Country Child* (Gloucester: Alan Sutton, 1985).

³² Philippe Ariès, *Centuries of Childhood*, trans. Robert Baldick (London: Jonathan Cape, 1962, 1960) Originally published as *L'enfant et la vie familiale sous l'ancien régime* (Paris: Plon, 1960).

³³ Richard M. Smith, 'Ageing and Well-Being in Early Modern England: Pension Trends and Gender Preferences under the English Old Poor Law c.1650-1800', in *Old Age from Antiquity to Post-Modernity*, ed. Paul Johnson and Pat Thane (London: Routledge, 1998); 'Charity, Self-Interest and Welfare: Reflections from Demographic and Family History', in *Charity, Self-Interest and Welfare in the English Past*, ed. M. J. Daunton (London: UCL Press, 1996); 'The Structured Dependence of the Elderly as a Recent Development: Some Sceptical Historical Thoughts', *Ageing & Society* 4, no. 04 (1984); P. Thane, 'The History of Provision for the Elderly to 1929', in *Ageing in Modern Society*, ed. Dorothy Jerrome (London: Croom Helm, 1983); Pat Thane, *Old Age in English History: Past Experiences, Present Issues*, Paperback ed. (Oxford: Oxford University Press, 2002, 2000); Margaret Pelling and Richard Michael Smith, eds., *Life, Death and the Elderly: Historical Perspectives* (London: Routledge, 1991); David Thomson, 'The Welfare of the Elderly in the Past: A Family or Community Responsibility?', in *Life, Death and the Elderly: Historical Perspectives*, ed. Margaret Pelling and Richard Michael Smith (London: Routledge, 1991).

³⁴ Ruth Richardson, *Death, Dissection and the Destitute*, 2nd ed. (London: Phoenix Press, 2001); S.J. Wright, 'The Elderly and the Bereaved in Eighteenth-Century Ludlow', in *Life, Death and the Elderly : Historical Perspectives*, ed. Margaret Pelling and Richard Michael Smith (London: Routledge, 1991).

³⁵ Lance Smith, 'Newport Workhouse and the Problem of Children', *Journal of the Telford Historical and Archaeological Society* 6 (2002); 'Refuges of Last Resort: Shropshire Workhouses and the People Who Built and Ran Them', *Transactions of the Shropshire Historical and Archaeological Society* 82 (2007).

³⁶ Joseph Phillip Dodd, 'The Changing Scene in Shropshire, 1750-1850' (unpublished MA dissertation, University of London, 1954); 'Shropshire Agriculture 1793-1870'; Goodman, 'Hammerman's Hill'.

³⁷ Charles Hulbert, *The History and Description of the County of Salop: Comprising Original Historical and Topographical Notices of the Hundreds, Towns, Parishes, and Villages with Their Dependencies*, in *Shropshire* (Providence Grove, near Shrewsbury: printed and published by the author, 1837); Joseph Plymley, *General View of the Agriculture of Shropshire* (London, 1803); *General View of the Agriculture of Shropshire* (London, 1813).

According to Susan Ottaway and Samantha Williams, historians have long acknowledged the life-cycle nature of poverty and poor relief, and they draw attention to Snell's finding that rural poverty in the late eighteenth century had a particular life-cycle.³⁸ Snell's finding echoes that of Seebom Rowntree in the early twentieth century who, though studying urban poverty, found that it occurred at particular life stages, one being that of early middle life, when married and with young children.³⁹ This concept of the life-cycle of poverty seems to apply universally. Robert Jütte provides the same picture in his study of early modern poverty across Europe.⁴⁰ However, he makes an important additional point, proposed earlier by Keith Snell,⁴¹ that family break-up was a significant factor contributing to family poverty, though there is very little research to shed light on just how significant this was under the poor laws. Instead of life-cycle poverty, this study uses the concept of situational poverty.⁴² It identifies four life stages in which poverty can strike: childhood, whether by accident of birth or circumstances such as abandonment, or being orphaned; young adulthood, when individuals seek independence and are hit by unemployment; parenthood, which includes both married and unmarried, where the cost of children is an extra burden; later life, unemployment, widow(er)hood and abandonment and old age. A separate chapter deals with illness, which cuts across all stages, and death. In examining the

³⁸ Susannah Ottaway and Samantha Williams, 'Reconstructing the Life-Cycle Experience of Poverty in the Time of the Old Poor Law', *Archives* 23, no. 98 (1998), p.19; K. D. M. Snell, *Annals of the Labouring Poor: Social Change and Agrarian England, 1660-1900* (Cambridge: Cambridge University Press, 1987), p.28.

³⁹ B. Seebom Rowntree, *Poverty: A Study of Town Life*, 2nd ed. (1902. Reprint, London: Macmillan and Co, 1908), p.136.

⁴⁰ Robert Jütte, *Poverty and Deviance in Early Modern Europe* (Cambridge: Cambridge University Press, 1994), p.37.

⁴¹ Snell, *Annals of the Labouring Poor*, pp.359-64.

⁴² Although frequently referred to as the poverty life-cycle, in this context it is specific episodes of poverty at defined stages in an individual life which are being discussed. Without considering multi-generation life histories (at least three), *generational* (defined as being in poverty for two generations or longer) as opposed to *situational* (existing for a shorter time and caused by circumstances) poverty cannot be inferred - Ruby K. Payne, *A Framework for Understanding Poverty*, 4th rev. ed. (Highlands, TX: Aha! Process [sic], 2005), pp.10, 64. In this thesis the term 'life-cycle' is deprecated in favour of 'life-stages'.

experience of poverty, across all aspects of the system, at all life stages, the approach taken in this thesis goes further than other writers.

1.2 Methodology and sources

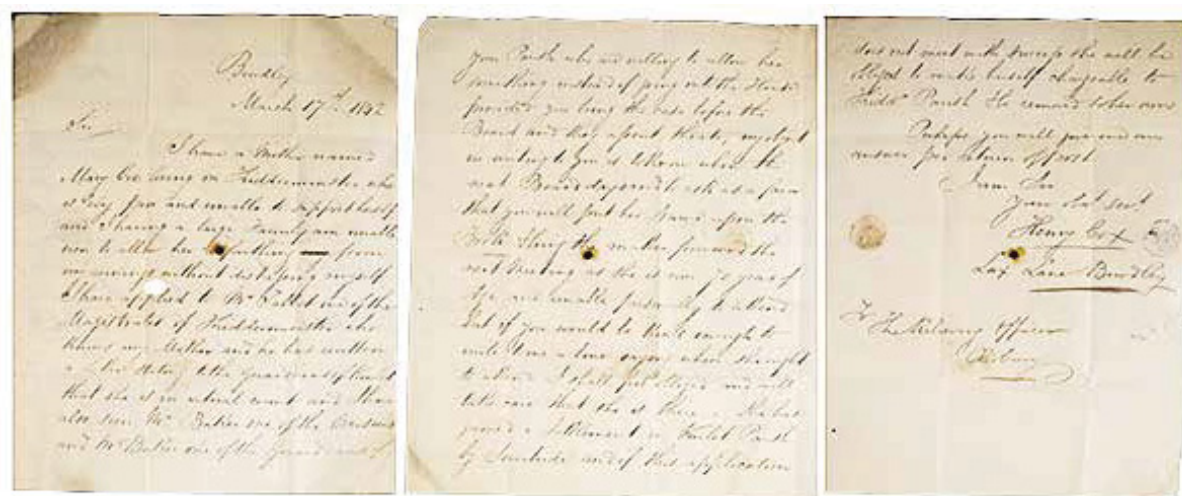
Recreating the experience of poverty faces the issue of finding sufficient reliable material to give a voice to the poor themselves. One way of doing this is through surviving pauper letters. However, whilst Thomas Sokoll found 758 pre-1834 pauper letters in Essex (though only a handful from the eighteenth century),⁴³ there are none for the parishes that made up the Cleobury Mortimer Poor Law Union. There are, though, many from the period after 1834. They provide an insight into the experience of poverty, in the voice of the poor. For example, when Henry Cox wrote to the Cleobury Mortimer relieving officer, he either could not or would not maintain his mother, which was an obligation on the Poor Law first established in 1598, re-enacted in 1930 and finally abolished in 1948.⁴⁴ His mother lived in Kidderminster, but settled in Kinlet by service, and was in want. He wanted to avoid her having to appear before the guardians (no doubt a tiresome journey for him as well) and said if the ‘application does not meet with success she will be obliged to make herself chargeable to Kidd^r Parish and be remove [*sic*] to her own’; this was a common feature of pauper letters.⁴⁵

⁴³ Thomas Sokoll, ed. *Essex Pauper Letters, 1731-1837* (Oxford: Oxford University Press, 2001).

⁴⁴ 39 & 40 Eliz. I c. 3 *An Act for the Relief of the Poor*, 1598; 20 Geo. V c.17 *Poor Law Act*, 1930 s.14; 11 & 12 Geo. VI c.39 *National Assistance Act* 1948, s.62(3), Sch. 7. Pt I.

⁴⁵ Steven King, ‘It Is Impossible for Our Vestry to Judge His Case into Perfection from Here’: Managing the Distance Dimensions of Poor Relief, 1800–40’, *Rural History* 16, no. 2 (2005), p.183.

Figure 1 - Letter from Henry Cox to the Cleobury Mortimer relieving officer, regarding his mother in want⁴⁶



But what of the many paupers whose voice is not heard in this way? Can these ‘casualties of history’ be saved from the ‘enormous condescension of posterity’?⁴⁷ The answer is ‘yes’. Judicious analysis of surviving records allows the experience of poverty to be recreated although there are problems in doing this – some records may provide a clear voice, but which give a biased or misleading account, whilst the lack of any clear voices would make generalisations difficult. The approach taken in this study attempts to tackle these problems. Rather than looking at the operation of the poor laws from a thematic perspective, it recreates the experience of poverty by taking a life-stage approach. The research findings and results of analyses are presented in the form of a ‘series of

⁴⁶ SA, Henry Cox to the Relieving Officer, *Workhouse Master's Records*, Letters and Miscellaneous PL5/103 March 17th 1842 – Transcription: ‘Sir – I have a Mother named Mary Cox living in Kidderminster who is very poor and unable to support herself and I having a large Family am unable to allow her even a farthing from my earnings without distressing myself I have applied to Mr Talbot one of the Magistrates of Kidderminster who knows my Mother and he has written a Letter stating to the Guardians of Kinlet that she is in actual want and I have also seen Mr Baker one of the Overseers and Mr Baker one of the Guardians of your Parish who is willing to allow her something instead of going into the House provided you bring the case before the Board and they assent thereto, my object in writing to you is to know when the next Board day is and to ask as a favor that you will put her Name upon the Book & bring the matter forward the next Meeting as she is now 70 years of age and unable personally to attend but if you would be kind enough to write to me a line saying when she might to attend I shall feel obliged and will take care that she is there. She has gained a Settlement in Kinlet Parish by Servitude and if this application does not meet with success she will be obliged to make herself chargeable to Kiddr. Parish and be remove to her own. Perhaps you will give me an answer per return of post. I am Sir, your obdt. Servt. Henry Cox, Lax Lane, Bewdley’.

⁴⁷ E.P. Thompson, *The Making of the English Working Class*, Penguin Classics ed. (London: Penguin Group, 2013, 1963), p.12.

microhistories'. In this way, detailed case studies provide insight into the 'lived experience' of the paupers of the union parishes. A micro-history is not a complete detailed history of an area, but rather a way of placing a small unit of study, a person, a family, a community or an event, in a broader context.⁴⁸ This is not the microscopic history of Nietzsche's antiquarian, but the 'microcosmic' method of the historian attempting to make investigation relevant to the wider issues of social history by investigating lived experience.⁴⁹

In his short overview of microhistories, Barry Reay emphasises a theoretical conviction that 'the local is the site for exploring significant social change and for teasing out important historiographical issues', perhaps echoing a thought by David Sabeen that the 'local is interesting precisely because it offers a locus for observing relations'.⁵⁰ Both Reay and John Tosh make the point that local history in the form of microhistory permits the integration of varied themes that are often treated separately.⁵¹ The term 'total history' may be more appropriate than microhistory as it covers the whole experience of being poor and the themes of employment, illegitimacy, apprenticeships, settlement and migration, education, medical treatment, crime and punishment, outdoor relief and the workhouse, but the thesis takes a rounded view of the whole experience of poverty from the perspective of the poor themselves

⁴⁸ Sigurður G. Magnússon and M. István Szijártó, *What Is Microhistory?: Theory and Practice* (Abingdon: Routledge, Taylor & Francis Group, 2013), p.148; Carlo Ginzburg and C. Poni, 'Il Nome et Il Come: Scambio Ineguale E Mercato Storiografico', in *Microhistory and the Lost Peoples of Europe*, ed. Edward Muir and Guido Ruggiero (Baltimore ; London: Johns Hopkins University, 1991 (1979)), p.3.

⁴⁹ 'Microscopists of history' was a term coined by Adam Black and Charles Black, 'Art. VIII.-the Family of Brocas of Beaurepaire and Roche Court, Hereditary Masters of the Royal Buckhounds (Review of)', *The Edinburgh Review, 1802-1929* 146, no. 339 (1887), p.235; Friedrich Nietzsche, *On the Advantage and Disadvantage of History for Life*, trans. Peter Preuss (Indianapolis, IN: Hackett Publishing Co., 1980), p.19; M. Postan, *Fact and Relevance; Essays on Historical Method* (Cambridge: Cambridge University Press, 1971), pp.20-21.

⁵⁰ Barry Reay, *Microhistories: Demography, Society and Culture in Rural England, 1800 - 1930*, ed. Roger Schofield, *et al.*, vol. 30, Cambridge Studies in Population, Economy and Society in Past Time (Cambridge: Cambridge University Press, 2002), p.260 and chapter ix; David Sabeen, *Property, Production, and Family in Neckarhausen, 1700-1870* (Cambridge: Cambridge University Press, 1990), pp.10-11.

⁵¹ John Tosh, *The Pursuit of History: Aims, Methods and New Directions in the Study of Modern History*, 5th ed. (Harlow: Pearson Education, 2010), p.83.

by focusing on key life stages.⁵² Whilst this means that certain themes, listed above, are dealt with more than once, they are explored from a different viewpoint.⁵³

1.2.1 Methodology

Documentary research method

According to Tosh: ‘Primary sources are not an open book, offering instant answers.’⁵⁴ In the present study, it is not possible to cope with the vast amount of primary data that is available. Whilst Jennifer Platt was critical of the lack of epistemological discussion on the use of documentary sources, in this study, the approach suggested by Tosh of gathering as many pieces of evidence from a wide range of sources is appropriate.⁵⁵ This section looks at how the PhD uses source material to develop a thesis. Overall, the study was grounded in the historical research method, following what McCulloch describes as: ‘established historical precepts about primary and secondary sources and a hierarchy of evidence’.⁵⁶ In order to draw conclusions from the sources, it was necessary to consider, for each document, four key criteria: authenticity; credibility; representativeness; and meaning.⁵⁷

For all the sources under consideration, there should be little doubt as to authenticity. The records are held in county or national archives and only original sources were used. Letters in the letter books and in the Poor Law Commissioners correspondence files are transcripts from the original, or drafts of, letters, which in the majority of cases have not survived; but these should be counted as ‘original sources’ with no question as to

⁵² It would be misleading to claim ‘total history’ in the strict sense as, for many reasons, no history can be total.

⁵³ For example, bastardy impacted not just the mother of an illegitimate child, but the child itself. The term ‘bastardy’ and any associated words are used in the sense and context in which they were used in the period, but without any intention of denigrating any individual or individual’s circumstances.

⁵⁴ Tosh, *The Pursuit of History*, p.86.

⁵⁵ Jennifer Platt, ‘Evidence and Proof in Documentary Research: 1. Some Specific Problems of Documentary Research’, *Sociological Review* 29, no. 1 (1981), pp.31-66; Tosh, *The Pursuit of History*, p.98.

⁵⁶ Gary McCulloch, *Documentary Research in Education, History and the Social Sciences* (London: Routledge Falmer, 2004), p.42.

⁵⁷ John Scott, *A Matter of Record: Documentary Sources in Social Research* (Cambridge: Polity, 1990), p.6.

‘soundness’.⁵⁸ No mass transcriptions (unless made from originals for the purposes of this study) were produced, and in one case only, a microfiche copy was made from the original which was too fragile to handle. In terms of *credibility*, there are obvious errors in the recorded information. But these are genuine errors and not an attempt to mislead. There is no immediate evidence of any distortion or that the clerks and overseers who made the records were in any way particularly biased such that it had a blatant impact on the records themselves.

In order to build a complete picture of how the poor and disadvantaged were treated both quantitative and qualitative approaches were necessary for the same data sets. For example, the overseers’ accounts lent themselves to a quantitative analysis to identify amounts, periods and types of relief. But more interesting was a simple textual analysis of the descriptors used to identify the paupers claiming relief. Whilst it is possible to produce quantitative data, a qualitative approach that considered the meaning behind the words is more informative; indeed, for unstructured items such as minutes and the many items of correspondence, a qualitative approach was demanded. Here, however, we encounter the issue of *theorisation* as discussed by McCulloch.⁵⁹ In all cases, a theoretical framework is necessary to interpret the documents. From an administrative perspective, overseers’ accounts and minute books represent an objective reflection of reality. Whilst a positivist approach may be relevant for account entries, a more interpretive stance is required for minutes. Correspondence is different. Scott points out that documents must be studied as socially situated products.⁶⁰ It is important that they are considered in the light of their time and in the context of the social organization of the Cleobury Mortimer area. Marwick makes

⁵⁸ Charles V. Langlois and Charles Seignobos, *Introduction to the Study of History*, trans. G.G. Berry (New York: Holt & Co., 1904), p.71.

⁵⁹ McCulloch, *Documentary Research in Education*, p.38.

⁶⁰ Scott, *A Matter of Record*, p.34.

this point effectively when he noted that historians should satisfy themselves that they have understood the document as its contemporaries would have understood it, rather than as it might be understood today.⁶¹

Two other issues are particularly relevant to letters. Often, only one side of the correspondence is seen, and it is necessary to infer the contents contributed by the other writer. It is also important to take account of questions of survival. For outgoing letters, it is probable that the account is complete in the records of the guardians and the Poor Law Commissioners. However, for incoming letters, why have some survived and others not and are those that have survived typical or representative and can general conclusions be drawn from them? Platt made the very obvious, but still pertinent, comment: ‘Some documents one might like to have will never have existed, others have been lost or destroyed, and others still exist but one cannot get access to them’.⁶² Whilst true, it is still necessary to ask questions and try to understand the potential for bias in what Eugene Webb *et al.* described as ‘selective deposit’ and ‘selective survival’.⁶³ Tosh points out that it is not advisable to rely on a single source.⁶⁴ Alternatively, McCulloch emphasizes that ‘a single document, or a set of documents from the same source or author, might well be valuable to the researcher in that it helps to reconstruct the experiences and changing ideas and practices of one particular individual, or family, or party or other entity, however typical or atypical it may be’.⁶⁵

One other issue is the use of codes when capturing data from transcriptions. Apart from the danger of transcription errors, the use of codes has an impact on the data itself. Of

⁶¹ Arthur Marwick, *The Nature of History*, 2d ed. (London: Macmillan, 1981), pp.145-6.

⁶² Platt, 'Some Specific Problems of Documentary Research', p.32.

⁶³ Eugene J. Webb *et al.*, *Unobtrusive Measures: Nonreactive Research in the Social Sciences*, rev. ed. (London: Sage Publications, 2000), p.54.

⁶⁴ Tosh, *The Pursuit of History*, p.98.

⁶⁵ McCulloch, *Documentary Research in Education*, p.38.

necessity, codes introduce standardisation, which is not present in the original data.⁶⁶ The analysis then is done on the standardised data – not on the underlying data – which may therefore introduce bias. Very little coding was used, so these problems did not arise.

Prosopography

In his seminal paper on the subject, Lawrence Stone suggested that prosopography was ‘ideally suited to the requirements of research papers and doctoral dissertations’.⁶⁷ Oddly, Stone dismisses this as a poor and irrelevant reason and then goes on to justify its relevance. He also dismisses as irrelevant the advent of the computer.⁶⁸ However, thanks to the power of technology, it is now possible to build ever larger and more detailed prosopographies which would have been inconceivable in his day. Stone thought that computing may dictate the approach to be used in asking historical questions and the way in which they were answered. Quite the contrary: the advent of new technologies allows new questions to be asked.⁶⁹ Forty years later, it is a well-established methodology.

Prosopography is often described as collective biography,⁷⁰ but in the view of Katharine Keats-Rohan this is wrong: prosopography and collective biography, terms which are often conflated, are not the same thing.⁷¹ She writes: ‘Prosopography is about what the analysis of the sum of data about many individuals can tell us about the different types of

⁶⁶ Kevin Schurer, 'The Historical Researcher and Codes: Master and Slave or Slave and Master', in *Historians, Computers and Data: Applications in Research and Teaching*, ed. Evan Mawdsley, *et al.*, History and Computing (Manchester: Manchester University Press, 1990), p.11.

⁶⁷ Lawrence Stone, 'Prosopography', *Daedalus* 100, no. 1 (Historical Studies Today) (1971), p.71.

⁶⁸ *Idem.*

⁶⁹ Averil Cameron, 'Prosopography of the Byzantine Empire', *Review (The British Academy)* 4 (2000), p. 26. Cameron chaired the committee of the Prosopography of the Byzantine World.

⁷⁰ References are too numerous to cite. But it is listed as such in C. Charle, 'Prosopography (Collective Biography)', in *International Encyclopedia of the Social & Behavioral Sciences*, ed. Neil J. Baltes and Paul B. Smelser (Oxford: Pergamon, 2001) pp12236-41 which also provides a list of other references.

⁷¹ Katharine Keats-Rohan, 'Biography, Identity and Names: Understanding the Pursuit of the Individual in Prosopography', in *Prosopography Approaches and Applications - a Handbook*, ed. Katharine Keats-Rohan (Oxford: 2007), p.143.

connection between them, and hence about how they operated within and upon the institutions — social, political, legal, economic, intellectual — of their time.’⁷² In the form of *structured prosopography*,⁷³ it is a particularly useful tool for this study. Data from the sources can be recorded in a normalised database as a series of *factoids* about the individuals encountered in the study.⁷⁴ These can then be analysed in the light of questions that arise during the study. For this study, a prosopography was built using a MySQL database, published online. Some simple software was developed which allowed a check to be performed when records were added. These were compared – name, date and location – allowing a slightly fuzzy match to see whether the person in the entry was the same as, probably the same as or possibly the same as in an existing entry.

Other methodology considerations

No research based on large amounts of documentary records would be complete without some consideration of textual analysis. For example, given the paucity of annotation in the overseers’ accounts, a simple ‘textual analysis’ of descriptors applied to the paupers revealed more about attitudes. The approach was widened when looking at reports and letters and entries in the Application and Report Books. It was not as appropriate for minutes as they tend to be formulaic, though analysis to determine the formulae words allowed the use of other words to be made clear.

Family reconstitution has been around for a long time. As early as 1920, Konrad Brandner attempted to create a complete genealogy of the families of the Steiermark region of

⁷² 'Prosopography and Computing: A Marriage Made in Heaven', *History and Computing* 12, no. 1 (2000), p.2 .

⁷³ Michele Pasin and John Bradley, 'Factoid-Based Prosopography and Computer Ontologies: Towards an Integrated Approach', *Literary and Linguistic Computing* (2013).

⁷⁴ The term *factoid*, in this instance, was first used in the development of the Prosopography of the Byzantine Empire to denote *assertions* that the researcher has made that a source states something about a person (John Bradley and Harold Short, 'Texts into Databases: The Evolving Field of New-Style Prosopography', *idem* 20 (Supplement) (2005), p.8).

Austria.⁷⁵ In France, Louis Henry developed methods to extract data from records and create rules to counteract bias, in order to reconstruct the population of France from 1679-1820. He co-wrote and then updated a detailed manual on how to do this – though it was very much a manual effort.⁷⁶ Scholars have written a great deal on family reconstitution as it applies in England and the use of nominal record linkage by computer was advocated as long ago as the early 1970s.⁷⁷ The differences between the very precise French system and the haphazard English parish register system, as well as the difficulties of obtaining meaningful information from the post-1837 registers, make it impossible to follow Henry's methods closely. Census material from 1841 goes some way to creating a picture of the Victorian period but lacks the detail of parish registers.

As a methodology, family reconstitution was not widely carried out in this study: it was not appropriate and too time-consuming. However, the techniques of family reconstitution are applied where appropriate, but more as individual 'life reconstructions' with rules specific to this research study. By tracing life events of individuals encountered in the records and setting them in context, it was possible to obtain a more complete picture of lived experience.

⁷⁵ Konrad Brandner, *Die Bevölkerung der Pfarre Weichselboden in Steiermark* (Graz, Austria, 1920).

⁷⁶ Michel Fleury and Louis Henry, *Nouveau Manuel de Dépouillement et d'Exploitation de l'État Civil Ancien* (Paris: Éditions de l'Institut National d'Études Démographiques, 1965).

⁷⁷ See E.A. Wrigley, 'Family Reconstitution', in *An Introduction to English Historical Demography: From the Sixteenth to the Nineteenth Century*, ed. E. A. Wrigley, David Eversley, and Peter Laslett (London: Weidenfeld and Nicolson, 1966); 'Some Problems of Family Reconstitution Using English Parish Register Material' in *Troisième Conférence Internationale d'Histoire Économique*, Munich 1965, Paris: Mouton, 1972); Steven Ruggles, 'The Limitations of English Family Reconstitution: English Population History from Family Reconstitution 1580–1837', *Continuity and Change* 14, no. 1 (1999); E.A. Wrigley and R.S. Schofield, 'Nominal Record Linkage by Computer and the Logic of Family Reconstitution', in *Identifying People in the Past*, ed. E. A. Wrigley (London: Edward Arnold, 1973), among others.

1.2.2 Primary sources

Original sources for this study are found primarily in the county archives at Shrewsbury and Worcester (covering the parishes that made up the Cleobury Mortimer Poor Law Union) and at the National Archives at Kew (for the correspondence of the Poor Law Commission and Assistant Commissioner Day) and are listed in *Table 1*. Potentially it is possible to derive a great deal of information from the sources. However, two important characteristics give rise to latent problems that must be borne in mind during analysis. Firstly, the sources are of very different types – ranging from structured account entries to unstructured letters and reports. Secondly, the different sources cover different periods, of widely varying lengths and coverage, during the period under study. Lastly, there is much more surviving material than for many other parishes – much more than could be used in this thesis.

Table 1 - Periods covered by different sets of primary sources

Source Set	Parish or union	Type of record	Structure	Area covered	Period
1	P	Overseers' accounts	(semi) structured	8 out of 17 parishes	from 25–60 years
2	P	Vestry minutes	unstructured	Only 3 parishes	22–60 years
3	P	Bastardy, settlement, apprenticeship	individual unstructured	Two parishes	50-60 years
	U			Union	40 or so years
4	U	Application and report books	(semi) structured	Union	5 years
	U	Outdoor relief books	(semi) structured	Union	5 years
5	U	Guardians' minutes	unstructured	Union	43 years
6	U	Correspondence	unstructured	Union	20 years
	U	Correspondence	unstructured	Poor Law Commission	43 years
6	U	General ledgers	(semi) structured	Union	43 years
8	P	Rate books	(semi) structured	Cleobury Mortimer parish	40 years
9	P	Census records	structured	All 17 parishes	1841-1871
10	P	Parish registers	(semi) structured	All 17 parishes	1770-1820

A complete timeline of the primary sources is shown in Appendix A and a detailed description of the source sets in Appendix B.

Ideally, there would be a complete set of each type of source for the relevant periods. However, incomplete material gives rise to initial concerns in three areas. Firstly, overseers' accounts for the period 1770-1837 exist only for eight of seventeen parishes and do not cover

the whole period in each case. Prior to the establishment of the poor law union, the individual parishes would have been very independent. Even if consistency is found for those eight parishes for which records survive, it would not be appropriate to draw conclusions for those parishes for which there are none. However, depending on the methodology, it may well be valid to extrapolate findings from a subset of years to the whole period – provided appropriate caveats are made. Secondly, vestry minutes for the period 1770-1873 are complete for Cleobury Mortimer, but only from 1816 for Hopton Wafers (and these are mostly administrative) and more or less missing for the others. Cleobury Mortimer was the market town, the largest parish and main centre of the area. Stottesdon, however, was about two thirds the size in terms of population, but there are no surviving pre-1834 records. It would have been helpful to have information to supplement the accounts. Thirdly, application and report books / outdoor relief books for the poor law union only exist for five years from 1836-1841. However, the guardians' minutes are complete for the whole period and up until 1861, when there was a change of clerk, there are detailed entries regarding pauper applications and situations. By cross-checking these for the period covered by the other two sets of books it is possible to determine how to treat the rest of the period covered by the minutes to 1861. Post-1861, there do not appear to be any details of individual pauper applications or situations, but there are details of out-of-the-ordinary events regarding individual paupers.

Overseers accounts

In the main, these contain short, line by line entries recording the amount of relief given to an individual. Typically, they contain name, date and amount with perhaps some form of descriptor applied to the individual, or to their state. There are only eight parishes for which accounts have survived, with 30,000 entries. For those parishes, the records are clearly

representative and meaningful. Overseers were responsible for paying medical expenses and these entries were highlighted in order to build a picture of medical relief.

Vestry minutes

Again, only a very limited set survives covering the main settlement parish, Cleobury Mortimer. Although Stottesdon, for example, was very large in terms of population none of its poor law records survive. Highley had not yet expanded with the advent of coal mining and Hopton Wafers was a small village.

The minutes record applications for relief and should correspond with the outlays recorded by the overseers. However, they also record refusals. Unfortunately, those are often stated as simply that – ‘refused’, which means the evidence is not always clear and comprehensible. They also record decisions about the period of relief – one-time payments, fixed period or until further notice. It was felt the data was representative, with enough data in the minutes to be able to analyse by gender, family status and age groupings. Initial examination showed that some names tended to crop up relatively often, probably the same individuals, or related by family connection.

Settlement examinations and removal orders, bastardy bonds, apprenticeship indentures

In her seminal paper, Landau offers evidence that, in the eighteenth century, the settlement laws were applied not just to those in need of relief or who were unemployed, but to many who were living in a parish which was not their parish of settlement.⁷⁸ There are only thirty-four surviving removal orders relating to Cleobury Mortimer from 1770 to 1795. Of those, two were actually chargeable to the parish and four were chargeable to other parishes and

⁷⁸ Landau, 'Who Was Subjected to the Laws of Settlement?'.

removed to Cleobury Mortimer. Over 80 percent were judged ‘likely to be chargeable’. The law changed in 1795 and someone had to be actually chargeable before they could be removed: 130 orders survive relating to Cleobury Mortimer.⁷⁹

Drawing conclusions from the documentation is difficult. The corpus is incomplete, and it is not possible to say whether the surviving documents are representative, or whether there is a pattern in their issue.⁸⁰ For example, the make-up of the surviving papers is not what Landau suggested. She agreed with Dorothy Marshall’s observation that certificates would be found ‘where parish papers have survived at all’.⁸¹ But this is not borne out: there is only one and certificates *per se* are infrequently mentioned in the examinations.⁸² Landau also found that removal orders were less likely to survive: however, over 60 percent of the Cleobury Mortimer papers are removal orders compared with 36 percent for settlement examinations. In her examination of 67 parishes, she only found 28 examinations filed with an associated removal order out of 1453 settlement examinations in total; based on this she asks what proportion of examinations resulted in removal.⁸³ For Cleobury Mortimer, 43 examinations with corresponding orders survive (out of 158 examinations); for Mamble the figure is nine out of 33. Despite these difficulties, it is still possible to make inferences and individually, the meaning of the documents is clear.

These documents tend to be formulaic and record simple facts of names etc. However, they give family detail and background detail in some instances. In most cases

⁷⁹ 35 Geo. III c.101, *An Act to prevent the Removal of Poor Persons, until they shall become actually chargeable*, 1795.

⁸⁰ Landau, ‘Who Was Subjected to the Laws of Settlement?’, p.142.

⁸¹ Idem, p.145; Dorothy Marshall, *The English Poor in the Eighteenth Century: A Study in Social and Administrative History* (New York: Augustus Kelly, 1969), p.179.

⁸² For the nearby parish of Ludlow, forty-nine certificates survive for the old Poor Law period, but only from 1699-1757 (SA LB/15/2/711-789 *Ludlow Borough: Overseers of the Poor accounts and papers: 1556-1852*).

⁸³ Landau, ‘Who Was Subjected to the Laws of Settlement?’, p.143; it is assumed that she means that removal orders were not found in the same bundles as it would be highly unlikely that they were attached to each other.

there are insufficient examples to decide whether they are truly representative, although in the case of the Cleobury Mortimer settlement papers they probably are.

Relieving officers' records

Although covering only a very short period of five years, these are the first records of the union and very detailed. The application books include full family information with ages, residence, status of adults, disability and medical situation, need for relief, detailed observations (many of which are quite pithy), discretionary relief granted, decision of guardians etc. The outdoor relief books have less detail – but give full names and year of birth, with weekly relief amounts in money and kind. There are often comments, particularly when relief comes to an end. There are over 10,000 lines in the outdoor relief books and some 2,000 or so cases in the application books.

While the records are complete for the period which they cover, they cannot be taken as generally representative as it is not possible to tell how relief was applied in later years.

Guardians' minutes

The minutes are detailed and extensive and, until 1862 when he was arrested on charges of embezzlement, all in the hand of one clerk. Usefully, the clerk annotated the minutes so that it is clear which are administrative, and which refer to applications for relief and other pauper matters, all of which are recorded separately. From 1862, though, there is no mention of individual cases of relief – and no mention of where they might be recorded (though there is a lot of similar information for out-parishioner relief cases in the letter books). But the new clerk did minute what might be termed 'out of the ordinary' cases relating to individual paupers.

This is the most complete set of data, covering a very long period. However, whilst decisions are always comprehensible *per se* it is not always possible to determine the reasoning behind decisions.

Correspondence and miscellaneous papers

There were some fascinating items here which provided very rewarding outcomes. A considerable amount of administrative correspondence was sifted out and the remaining items were photographed. These contained, inter alia, many pauper letters and letters written on their behalf; detailed case responses to those interceding; a great number of letters regarding the provision of medical relief and claims of negligence; inquests; details of impropriety and dishonesty by the officers; disputes amongst the guardians. There is little doubt, if any, of their authenticity. However, there were possible issues about credibility.

Given the subject matter and the authors, there was inbuilt bias – all had an agenda. Whilst inferences could be drawn from a document, other than the simple truth of any factual assertions,⁸⁴ the veracity of accounts and statements needed to be considered. It is quite likely that in some cases important points were omitted or embellished and any bias was exacerbated by attempts to justify or rationalise actions, to discredit or support others or to misstate a problem: however, as McCulloch points out, an understanding of the biases involved can give the researcher significant clues to the issues being studied.⁸⁵

In many cases, the meaning of the items was quite clear, but account needed to be taken of both the intended meaning and what would have been the received meaning at the time using the social context to facilitate understanding, whilst trying to avoid introducing any bias of one's own. The use of secondary sources was very important here for corroboration.

⁸⁴ Platt, 'Some Specific Problems of Documentary Research', p.33.

⁸⁵ McCulloch, *Documentary Research in Education*, p.36.

In some cases, the internal meaning of an item was important. A greater understanding was gained by looking at the way in which words were used and their relationship to each other and, for example, what was not said as well as what was said along with the form and organisation of the document.⁸⁶

Two approaches were taken to the mass of letters and other items. The first borrowed from the techniques of grounded theory (the full use of which is not considered wholly appropriate here). Each item was considered in turn, read carefully then coded to identify key points. The codes were then grouped to create concepts which could be built into categories. During coding, memos were recorded to capture what was found and to interrogate the researcher's own thoughts and feelings about the item. This allowed for a highly reflective approach. Secondly, the source material was scoured to identify cases that could be studied in more detail by researching outwards from the material available.

Parliamentary Papers

The Parliamentary Papers archive has been a very useful source of data, especially the 1834 Poor Law Report itself and its appendix, the Answers to Rural Queries,⁸⁷ as well as the annual reports of the Poor Law Commission and Poor Law Board, and the many returns to Parliament listed in the bibliography. There was a great deal of contemporary criticism of – and support for – the new poor law. Nineteenth-century books, including novels, pamphlets, journals, newspapers and magazines provide rich material.

⁸⁶ Norman Fairclough, *Critical Discourse Analysis* (London: Longman, 1995), p.20.

⁸⁷ *Report from His Majesty's Commissioners for Inquiring into the Administration and Practical Operation of the Poor Laws.*, (44), 1834 Appendix (B.1) Answers to Rural Queries, Parts I-V.

1.3 Structure of thesis and key research questions

This thesis examines poverty at different stages of life in the parishes that (ultimately) made up the Cleobury Mortimer Poor Law Union, both before and after the introduction of the new poor law in 1834. Chapter 2 is contextual and explores the dynamics at play in the area, covering the economic and social structure of Cleobury Mortimer and the surrounding hinterland, and attempts to identify the dynamics that exerted influence on the application of the Poor Law and its administration. Chapter 3 then considers the provision of relief, which applied across all life stages. It looks at the way of dealing with the poor prior to the formation of the union in 1837 and reveals a highly benevolent system that provided money, rent, food, clothing, tools. The key question is how much and in what way did the provision of relief change with the introduction of the new Poor Law and the chapter considers the impact, particularly that of the workhouse and the use of the ‘workhouse test’. The system for medical treatment was different before and after the formation of the union. Whilst the poor had access to treatment, its provision was hit and miss, and there are many complaints in the records, some from the officers themselves. Inquest records show suspected maltreatment and negligence, accusations of which occur regularly throughout the first half of the nineteenth century.⁸⁸

Chapter 4 examines the first life stage, childhood, and focuses on illegitimacy and the framework relating to relief for bastards both before and after the Poor Law Amendment Act, which led to some harsh decisions. Children were not responsible for their own poverty and the key question is the extent to which poor children were considered to be a burden on the parish. Childhood apprenticeships were a way of avoiding the costs, but there were also

⁸⁸ Recent published work focuses on medical officers and medical treatment from the mid-nineteenth century onwards. For example, Kim Price, *Medical Negligence in Victorian Britain: The Crisis of Care under the English Poor Law, c.1834-1900* (London: Bloomsbury Publishing, 2015) which, despite its title, says little if anything about negligence before the mid-1860s.

claims of success in removing children from poverty through the provision of education. Possible links between poverty and criminality are explored. Having survived childhood, young adults were less likely to encounter poverty as they had more opportunities to work for a living, but some turned to crime, which was frequently driven by deprivation. Although not criminal today, many young unmarried mothers were imprisoned for bearing illegitimate children. Chapter 5, 'Life stages – young adulthood', is devoted to the late teen years to the mid-twenties. The area was largely agricultural with little or no industry. Most young adults were farm servants, labourers or domestic servants among whom the incidence of unmarried pregnancy was high with evidence of a number of 'repeaters', women with several bastard children.⁸⁹ There is also evidence of men fathering more than one bastard child. There were various opportunities for employment and young adults moving around in search of work were prone to removal under settlement laws. The key question considered in chapter 5 is whether there was any discrimination in the ways in which young adults were provided with relief.

The treatment of families in poverty varied widely, with great differences before and after 1834. The records suggest that settlement rights, or rather the lack of them, were taken seriously and dealt with briskly: uprooting of whole families was not uncommon when they fell on hard times. In Chapter 6, 'Life stages – family life: parenthood into old age', the system of out relief which allowed families to stay together is examined along with that of out-parish relief. Contrary to the view that the poor had no incentive to work, the vestry and guardians' minutes show many requests for work rather than relief, with interesting reactions. Desertion by fathers and – occasionally – mothers was a common experience, which brought varying and sometimes harsh responses. The key research question in this chapter is how

⁸⁹ A descriptive, but pejorative, term introduced in Laslett and Oosterveen, 'Long-Term Trends in Bastardy in England', p.282.

families fared under the relief systems before and after the new poor law and the extent to which single parent families were disadvantaged in the system. Many people lived to an old age, despite the prevalence of illness and deprivation. The chapter looks at the question of how well people were looked after, the pattern to the treatment of the elderly and whether there were differences based on gender. Chapter 7, 'Life stages – illness and death', looks at mortality and the poor and puts death into the context of being a pauper and the final injustice of a pauper funeral. This chapter attempts to answer the questions of how the poor fared in receiving medical treatment; what sort of medical treatment there was and for what illnesses, and if there any incidence of negligence. Chapter 8, 'Conclusions' draws together the findings of the earlier chapters and puts them in the context of existing literature, covering both life-stage and thematic considerations. It draws out the wider significance of the thesis for studying English social history and for providing a methodological approach for students of the Poor Law. The chapter also makes recommendations for further research.

2. Thriving pre-Domesday settlement to ‘torpid townlet’

2.1 Introduction

This chapter attempts to consider to what extent the social, economic and cultural make-up of Cleobury Mortimer and its surrounding parishes (for a map, see Figure 2) helped to shape approaches to the provision of relief in the area before and after 1834. For a fuller discussion of the geography and history of the area see Appendix C.

Cleobury Mortimer never developed beyond being a small market town, surrounded by farms and estates. From its early origins as a thriving pre-Domesday settlement and its importance as a centre of the Mortimer dynasty,¹ it had sunk to being a ‘poor village’ on John Leland’s mid-sixteenth century itinerary.² Hulbert, writing a history of Shropshire in 1837, said of Cleobury: ‘Its charming site, its neighbouring beds of Coal, Limestone, &c. must excite attention: already the seeds of prosperity are sown, and begin to shoot forth ...’.³ He also described it as ‘of ancient celebrity, though at present of less distinguished eminence; this may in some degree, be owing to its secluded situation, being distant from any great road, having neither coaches, rivers, or canals to give it importance’.⁴ Thomas Telford, writing in 1797 about canals in Shropshire, noted:

the district in which a canal is most wanted, is that which lies on the West side of the Severn; it reaches from Wenlock on the North, to Cleobury Mortimer on the South, and between the river Severn on the East, and the road which leads from Church Stretton to Ludlow on the west.⁵

¹ The Domesday Claiberie was a substantial settlement, with 45 households. A priest is recorded, which suggests that the church of St Mary the Virgin is pre-1086, though no traces of a Saxon church have been found; the castle at Cleobury was the administrative centre for Hugh Mortimer and Roger Mortimer III.

² Thomas Hearne, ed. *The Itinerary of John Leland the Antiquary, Vol. The Seventh, in Two Parts*, 3rd ed. (Oxford: 1769), p.62.

³ Hulbert, *History and Description of the County of Salop*, p.325.

⁴ Idem, p.323.

⁵ Plymley, *General View of the Agriculture of Shropshire*, p.311. Later, in 1800, Telford was much enamoured of the new form of transport – ‘roads with iron rails laid along them, along which articles are conveyed on

However, his suggestion, which was never followed up, completely by-passed Cleobury, plotting instead a canal to link only three of the four corners. It is not surprising that those shoots did not bear fruit: by 1899, Cleobury was described as a ‘long, straggling, torpid townlet’.⁶ Torpid, perhaps, but well-lit: the Cleobury Mortimer gas works had been established in 1866 and gas lighting reached the High Street, though with only sixteen standards.⁷ Lighting was also installed in the church, but parishioners complained, as the columns were too plain and not ornamented enough like the ones in nearby Tenbury church. In the main, the buildings in the High Street today are eighteenth century and there is clear evidence of burgage plots behind the single main street. In the nineteenth century, most of those buildings housed some sort of trade. Trade directories, which are not wholly reliable, based as they are on tradesmen’s submissions, show a wide mix of shops and trades. In 1835 nine grocers were listed, six boot and shoemakers and three milliners and dressmakers.⁸ Only two boot makers and two grocers were listed six years earlier⁹ – and one of those boot makers did not appear in 1835. By 1859, no less than one hundred separate tradesmen were listed – a sign of both prosperity and a successful trade directory.¹⁰ A decade later, a similar number was listed, but with a more eclectic mix – there were now confectioners, stationers, several pharmacists, straw bonnet makers, a watch and clock maker – and rather a lot of maltsters to support the large number of public houses in the area.¹¹

Early growth up to the fourteenth century was followed by a period of probable stagnation and decline through the fifteenth and sixteenth centuries. The next two hundred years saw growth with large increases in population, yet despite the apparent prosperity in the

wagons’ – and held them to be much preferable to canals, suggesting that the towpath from Bewdley to Coalbrookdale be converted in such a way. (Thomas Telford, Letter dated January 13th 1800, *idem*, p.314).

⁶ H. Thornhill Timmins, *Nooks and Corners of Shropshire* (London, 1899), p.203.

⁷ Betty Pardoe, 'The Gas Works', *Cleobury Chronicles* 2 (1992), pp.33-34 .

⁸ "National Commercial Directory", (London & Manchester: Pigot & Co, 1835).

⁹ "National Commercial Directory", (London & Manchester: Pigot & Co, 1829).

¹⁰ "Royal National and Commercial Directory and Topography", (London & Manchester: Slater & Co, 1859).

¹¹ "The Post Office Directory of Shropshire, Staffordshire and Worcestershire", (London: Kelly & Co, 1870).

nineteenth century things started to stand still again. Relatively speaking – especially compared to other market towns in Shropshire – Cleobury Mortimer was ‘in the doldrums’. There are three probable reasons for this: land ownership by a comparatively small number of owners, the lack of any form of industry to act as a focus for growth, and the geographic location of the town itself.¹² Such industry as there was, was very small in scale – and in many cases did not last very long. Partly this was due to changing conditions, allowing industry to develop elsewhere. Local landowners, perhaps satisfied with their income, did not develop their estates in any way, or invest locally in trade initiatives. Initially, Cleobury Mortimer was very self-contained, able to supply most of its own needs. It never developed strong trade links with nearby towns and settled into a long period characterized by negligible growth, with little changing until the late part of the nineteenth century. The population then grew sharply, but fell steadily again until the middle of the twentieth century when an increase in local authority housing coupled with the arrival of an engineering firm, seeking safety from London bombing during World War II, fuelled a rapid rise – but with no other development to speak of.

The villages around Cleobury Mortimer, all of which except for Highley existed at Domesday, were small, quite dispersed settlements and remain so. Though Cleobury Mortimer was not isolated, in a strict sense, it was in many ways cut off from the rest of the area and this no doubt strengthened the local nature of what has been described as an established and somewhat entrenched system of poor relief prior to 1834.¹³ Subject to local custom and practice, this system was required to change with the introduction of the new poor law.

¹² Discussed in Appendix C.

¹³ Geoffrey B. A. M. Finlayson, *England in the Eighteen Thirties: Decade of Reform* (London: Edward Arnold, 1969), p.51.

Figure 2 - Map showing the boundaries of the parishes which formed the Cleobury Mortimer Poor Law Union



The map shows the extent of the Cleobury Mortimer union, with the parish boundaries as of early 1800s.¹⁴ The yellow line is the boundary between Shropshire and Worcestershire

75	Rock	547	Doddington Liberty (Cleobury Mortimer)	564	Wheathill
76	Bayton	548	Cleobury Mortimer (East Foreign Liberty, West Foreign Liberty and Town Liberty)	565	Silvington
77	Mamble	549	Neen Savage	569-577	Stottesdon
533	Coreley	551	Kinlet	586	Woodhouse
545	Milson	552	Highley	587	Hopton Wafers
546	Neen Sollars	558	Loughton	588	Farlow
		563	Aston Botterell		

¹⁴ Kain, R.J.P., Oliver, R.R., *Historic Parishes of England and Wales: an Electronic Map of Boundaries before 1850 with a Gazetteer and Metadata* [computer file], (Colchester, Essex: History Data Service, UK Data Archive [distributor], May 17th 2001). SN: 4348.

2.2 Society and culture of the area

Throughout the research period (1770-1870), there were essentially five classes of people in the union parishes: landowners; clergy; farmers; tradesmen; the working class, comprising those in work and not claiming relief; and those claiming relief (see *Table 2*). From the turn of the century onwards, there was an increase in the number of professionals: lawyers, doctors, civil servants, accountants etc. By 1851, these professionals outnumbered farmers and had a clear impact on the operation of the system.

Table 2 - Adult population of Cleobury Mortimer, by class, in 1841 and 1851¹⁵

Class	as percent of adult population	
	1841	1851
Major landowners	0.31	0.27
Clergy	0.10	0.35
Farmers	3.72	2.60
Professionals	2.89	3.45
Tradesmen	18.37	17.79
Working class ¹⁶	66.67	72.31

For example, the appointment of Adam Trow – a practising solicitor and a guardian – as clerk to the guardians after the dismissal of the long-serving William Cooke, suspected of embezzlement, in August 1860, led to a marked change in the way meetings operated. Trow took on a more prominent role, rather than working simply as the servant of the board. The influence of the medical men on the operation of the system can be seen in the long-running and frequent disputes between them.

¹⁵ *Census of Great Britain, 1851, Population Tables, I. Number of the Inhabitants in 1801, 1811, 1821, 1831, 1841 and 1851. Vol. I* ((1631), 1852-3.

¹⁶ 10 percent of those in the working class are shown as inmates of the workhouse. It is not possible to tell how many of the others may have been out of work and in receipt of relief.

2.3 The wars of the medical men

In early 1844, Thomas Pope, a local surgeon and prominent resident, was on the receiving end of an investigation: at the same time, he was in a bitter dispute over payment for treatment of a patient.

In the previous July, he had been involved in saving the leg and possibly the life of a man who had fallen heavily on his scythe, broken his femur, severed the artery and sliced his kneecap in two. At the age of 60, Pope had ridden to Rock – about seven miles away – on being summoned and had re-visited the patient, he says, 29 times. Although the fee was stated in a schedule, the guardians refused to pay for all the work. Pope was initially vexed, then furious and then very upset. He wrote to the PLC and they referred the matter to experts to assess. They in turn sought a certificate from another doctor who refused to state what had happened but only on the basis of what the situation was then.¹⁷ Pope wrote a long letter to the renowned George Guthrie, of the Royal College of Surgeons, appealing for his assistance. Guthrie returned the letter with a note that not only was Pope entitled to his fee, but he should be paid double for having saved the limb.¹⁸ There is no record of Pope being paid. The response of the guardians was to accuse him of negligence.

In January 1844, the widow Matthews had become very ill. The receiving officer was not at home, so no order was issued, and Pope refused to attend the patient without one (this was not uncommon as it led to disputes over payment). The woman's daughter tried again the next day, but she was still unable to obtain an order and Pope refused to go. This time, however, he sent some pills. It was not until the next morning that he attended and

¹⁷ TNA MH 12/9883 Thomas Pope to the board of guardians, *Correspondence*, October 25th 1847 (Although much later than the incident, Pope relates the details here).

¹⁸ TNA MH 12/9882 Thomas Pope to George James Guthrie, *Correspondence*, December 30th 1843; Guthrie was famed for a similar procedure on a French prisoner of war, François de Gay, after the battle of Waterloo (<http://www.nam.ac.uk/waterloo200/themes/science-technology/surgeon-george-james-guthrie-wellingtons-combat-medic/>) [Accessed June 20th 2015].

pronounced her dangerously ill. William Lacon Childe (the chairman of the guardians) encountered him on his return and insisted he see her the next day, to which Pope agreed. He did not see her and apparently told the daughter, when she went for him, that he could not be expected to travel every day. Widow Matthews died before the daughter returned home. When Pope turned up he berated the daughter for not having told her that the patient was deceased.¹⁹ Naturally, Pope's version of events was somewhat different and he claimed to have told the daughter anyway that it was likely her mother would die before her return.²⁰ Based on this episode, the guardians required the clerk to write to the Poor Law Commission 'once more to express their anxious desire to be relieved at the next appointment of Medical Officers from the necessity of placing the Medical relief of the Poor in the hands of parties in whom not one of the guardians places confidence'.²¹

Pope had clearly upset the guardians, who were further nonplussed to see an application by his son to be appointed as dispenser to the union. The guardians were concerned at this due to his extreme youth and inexperience. There were two sons, one twenty-two at the time and the other sixteen. Both had the middle initial 'H', which is clear in the guardians' minutes, but the first initial is not legible.²² The older son, William, later became a surgeon but, when a later complaint was made about 'Pope Junior',²³ he was at that time living in Wolverhampton.²⁴ It seems it could not have been William and it may therefore have been the younger, Frederick (who eventually became a veterinary surgeon), though in the census around the time of the later complaint he has no occupation listed.²⁵ The idea of a 16-year-old dispenser is somewhat frightening. [The situation is further confused by

¹⁹ SA PL5/5, January 8th 1844 .

²⁰ TNA MH 12/9882 Thomas Pope to the Poor Law Commission, *Correspondence*, January 30th 1844.

²¹ SA PL5/5, January 24th 1844.; TNA MH 12/9883 Copy of Guardian's minute, April 1st 1844, forwarded to the Poor Law Commission, *Correspondence*, April 4th 1844.

²² SA PL5/5, April 1st 1844, .

²³ TNA MH 12/9884 Bernard Beale to the Poor Law Board, *Correspondence*, May 14th 1856.

²⁴ TNA HO 107/2019, f.687, p.20; TNA RG 9/1987, f.97, p.2.

²⁵ TNA HO 107/1985, f.34, p.28; TNA RG 9/1846, f.10, p.18.

finding that the estranged son-in-law, Joseph Wainwright, is shown back in Cleobury as a grocer and druggist, just a few years later.]²⁶

None of the probable correspondence has been found. It may have been lost, misfiled – or may not have existed. But the tone of the guardians' resolutions and two letters between William Lacon Childe and Sir Edward Blount make clear the strength of feeling. In August, Lacon Childe drafted resolutions noting the utter unfitness on any grounds for Pope to be a medical officer of the union and noting that the Poor Law Commissioners should be told they would under no circumstances accept him.²⁷ A second draft tempered this to an expression of 'wishing to perform their duty according to their judgement and their consciences, they were determined not to voluntarily be parties to the appointment of Mr Pope'.²⁸ The union had been divided into four districts for medical purposes and the guardians wished to appoint Edmund Whitcombe to district two in addition to his existing district. The Poor Law Commission could see no reason for deviating from their normal rules. By the time of the formal resolution in September, their objection was to the 'appointment of any Medical Officer of this Union whom they conscientiously believe on account of his inexperience to be an improper person to fill the situation'.²⁹ Their opposition to the appointment of Pope Junr was stronger.

That they therefore do most respectfully but unanimously protest against the appointment of Mr Pope Junr; this manifesting to all classes in this locality their disapproval of a proceeding, which they honestly believe will be injurious to the interests of the Union in general and of the Poor in particular.³⁰

They were at pains to point out that they were not under the 'influence of a fretful disposition to resist authority' but that their own 'future usefulness and respectability' depended entirely

²⁶ "History, Gazetteer and Directory of Shropshire", (Sheffield: 1851), p.642 .

²⁷ SA PL5/103 William Lacon Childe to Sir Edward Blount, August 9th 1844 .

²⁸ Ibid. William Lacon Childe to Sir Edward Blount, August 13th 1844 .

²⁹ SA PL5/6, September 2nd 1844.

³⁰ Idem.

upon being able on occasion to deviate from the general (and they admit, judicious) regulations. The PLC was unmoved. They took the view that Pope junior's certificates were evidence of his capacity and that he should be appointed with their sanction but had already recommended that Thomas Pope be not appointed in the light of the board's resolutions. These skirmishes with the guardians turned into an all-out war of the medical men during 1847.

In January, a young man called James Kite, of Coreley, 22 years old, had a bad accident while felling trees and could not move his arms or legs. Edmund Whitcombe covered that part of the district but did not come as requested until a day later and did not fully examine him, overlooking the fact that his bladder was not emptying. Over the next few days, Kite was in agony but Whitcombe did not use a catheter and when it did become clear to him what was needed, sent an apprentice instead. It was claimed that Kite died from a ruptured bladder and that the medicine he had been given was incorrect. The inquest jury decided that he died from spinal injuries caused by the accident. His father and sister wrote to the PLB in March complaining about Whitcombe, in a detailed letter in what seemed to be a familiar hand. Requested by the PLB, Whitcombe wrote a very detailed, very measured response refuting the allegations. The guardians added their support in a resolution stating they were firmly of the opinion that the charges against Whitcombe were 'wholly devoid of truth'.

Thomas Pope now openly entered the fray, first admitting that it was he who wrote the letter from the Kites – at their behest. He also openly accused Sir Edward Blount, the chairman of the guardians, of having forced a resolution on the rest of the board, contrary to the wish of the majority, and 'which he had brought in his Pocket to the Meeting'.³¹ The

³¹ TNA MH 12/9883 Thomas Pope to the Poor Law Commission, *Correspondence*, April 13th 1847.

resolution noted that several anonymous letters had appeared containing most serious charges against the officers of the union and that the attack on Mr Whitcombe seemed to ‘have been got up by the writer of the above mentioned anonymous letters’. Without naming Pope, the PLB deduced that ‘from certain marked peculiarities in the style’ they were firmly convinced that the letter signed by the Kites was dictated by the same person as the anonymous letters.³² In Pope’s letter, he detailed a further series of allegations against Whitcombe, covering a six-year period. The PLB now undertook to make an immediate investigation.

A month went by and Kite’s father wrote again, or rather Pope did, demanding an investigation and stating that if it was not resolved ‘he has friends who will see him right’.³³ Pope wrote again another month later, this time very exasperated at the lack of action, and threatened to send copies of all the correspondence to the Home Secretary.³⁴ A few weeks earlier he had, belatedly, written a sixteen-page refutation of Whitcombe’s explanation.³⁵ In response, the guardians passed a resolution confirming their very high opinion of Whitcombe and mentioned in passing the ‘striking difference of the characters of the different persons interested in the investigation’. They took the unusual step of adding the seal of the union to the resolution to add lend to the contents.³⁶

An inspector was appointed to conduct an investigation and take statements from everyone. On reading Pope’s letter, he engaged a London specialist, Edward Stanley, described as ‘one of the most sagacious teachers and judicious practitioners of his day’, to confirm his view about the necessity to empty the bladder in cases such as this.³⁷ Stanley

³² SA PL5/7, April 12th 1847.

³³ TNA MH 12/9883 John Kite to the Poor Law Commission, *Correspondence*, May 1st 1847.

³⁴ TNA MH 12/9883 Thomas Pope to the Poor Law Commission, *Correspondence*, June 10th 1847.

³⁵ TNA MH 12/9883 Thomas Pope to the Poor Law Commission, *Correspondence*, date uncertain, received June 2nd 1847.

³⁶ TNA MH 12/9883 Copy of resolution, July 2nd 1847, Cleobury Mortimer PLU sent to Poor Law Board, *Correspondence*.

³⁷ TNA MH 12/9883 Edward Stanley to the John T Graves, Assistant Poor Law Commissioner, *Correspondence*, July 29th 1847; Power, D'A., and Jean Loudon. ‘Stanley, Edward (bap. 1792, d. 1862), surgeon.’ *Oxford*

suggested there was a case to answer. The inquiry finding was that Whitcombe may have been partly remiss in not treating James Kite properly, but his long and honourable service should count for him and that, were this his first offence, he should be admonished only.³⁸

Pope now turned his ire on the guardians themselves and complained to the PLC that they suffered from a certain ‘blindness’ in regard to Mr Whitcombe. They were endeavouring to satisfy themselves that this was Whitcombe’s first offence but were ignoring, in Pope’s view, the many references in the minutes to warnings given to Whitcombe about his conduct. He recommended the PLB obtain a copy of the minutes of a particular instance two years previously and concluded his letter with ‘*magna est veritas et praevalebit*’.³⁹

Meanwhile, the guardians had latched on to a statement in the enquiry findings by the Inspector who said ‘but I cannot believe the evidence to be true’ – he did not believe that any man ‘would have done as Mr Whitcombe is stated to have done’ and in pointing this out to the PLB, drew their attention again to their resolution confirming their very high opinion of him.⁴⁰ However, it was too late: the PLB requested Whitcombe to resign. In his letter of resignation, he wrote of the malicious and interested parties who had carried on against him and whose success had been attained at the sacrifice of truth and justice.⁴¹ But Whitcombe was now yesterday’s news and the guardians turned their attention to alterations to the workhouse.

Dictionary of National Biography. 23 Sep. 2004.

<https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-26264>. [Accessed August 16th 2016].

³⁸ TNA MH 12/9883 Findings of inquiry into conduct of Edmund Whitcombe regarding the death of Thomas Kite, *Correspondence*, August 2nd 1847.

³⁹ TNA MH 12/9883 Thomas Pope to the Poor Law Board, 1847, *Correspondence*, August 11th. The reference is a misquote of 1 Esdras 4:41 ‘*magna est veritas et praevalet*’. Pope was very given to using Latin quotations.

⁴⁰ TNA MH 12/9883 Clebury Mortimer Poor Law Union to the Poor Law Board, *Correspondence*, August 17th 1847.

⁴¹ TNA MH 12/9883 Edmund Banks Whitcombe to the guardians of the Clebury Mortimer Poor Law Union, (copy) *Correspondence*, September 13th 1847.

Pope had won and since every cloud has a silver lining, immediately wrote to Sir Edward Blount, the chairman of the guardians.⁴² He related the trouble he had being paid four years earlier and quoted a recent case:

The recent melancholy case of poor Hannah Neath is another of those Instances now & then occurring, of the great Sacrifice, of Time, Labour, Judgment & expensive applications & Medicines required on the Part of the Medical Officer – Attendance once daily, at least, the most careful & unwearied Dressing & Manipulation, very costly Applications and Medicines; in short nothing less than the whole Year's Salary for the whole of the District would have covered the necessary Expenses. If the poor Creature was so treated, well; if not, had I been her Medical Attendant, I should tremble for the Account I should be called upon to give at the Highest Tribunal.

Payment of medical officers and surgeons was a constant issue. He implored Blount to look after the poor – to require for them the same attendance as for himself – and for the guardians to be flexible and pay a proper salary. If they were to do so, he would aspire to the honour of becoming one of the medical officers himself. He was ignored.

2.4 Social disputes and emerging politics

Press reports give details of several well-supported societies, which provided opportunities for the affluent and leisured to meet and the names of farmers and professionals frequently appear in the newspapers, along with some tradespeople. Cleobury Mortimer had a choral society, a lodge of the Manchester Unity of Oddfellows, a book society, which held frequent – and apparently hugely convivial – dinners,⁴³ an association for the prosecution of felons, where dinners were equally important,⁴⁴ and a literary and scientific institution.⁴⁵ These gatherings led to the development of a shared culture but also provided an arena for

⁴² SA PL5/103 Thomas Pope to Sir Edward Blount, chairman of the guardians, Cleobury Mortimer Poor Law Union, October 25th 1847.

⁴³ For example, "Cleobury Mortimer Book Society", *Worcestershire Chronicle*, December 12th 1849, "Cleobury Mortimer Book Society", *Worcestershire Chronicle*, December 10th 1851 and "Cleobury Mortimer Book Society", *Worcestershire Chronicle*, December 3rd 1856; "Cleobury Mortimer Book Society", *Berrow's Worcester Journal*, December 12th 1850.

⁴⁴ "Association for the Prosecution of Felons", *Berrow's Worcester Journal*, December 26th 1850.

⁴⁵ NLNZ Turnbull Library, *Minutes of the Cleobury Mortimer Scientific and Literary Institution, 1841-1843*.

conflict. Key figures occupied positions of responsibility. Thomas Pope, a local surgeon, in addition to being one-time churchwarden, vestry committee member and later guardian, was a leading figure – famed for his ‘racy humour’ as well as surgical ability.⁴⁶ But the press reports of *soirées* present only one side of this apparently agreeable milieu. There were also frequent, quite serious disputes accompanied by character attacks – some quite open and some anonymous, though perhaps attributable. Pope was responsible in 1818 for the levy of a huge fine of £100 on Richard Backhouse, a prominent farmer and churchwarden, for supplying corn and flour to the poor – in a tender he had failed to win himself.⁴⁷ For the next fifty years, Pope made frequent complaints of negligence against fellow surgeons and was often in court prosecuting some offence or other. The same Backhouse led a faction of farmers against the *ex officio* guardians in the dispute over the costs of Quatt school (see Chapter 4). His behaviour was such that the Poor Law Board inspector described him as ‘an ignorant, violent and very unscrupulous person’, with considerable influence over other farmers.⁴⁸ The farmers’ opposition led to the resignation of the chairman and vice-chairman of the guardians. As well as thinking that ‘... education [at Quatt] is too good [sic] for pauper children, & better than they can provide for their own’,⁴⁹ the farmers’ views were tinged somewhat with religious sensibilities. For example, in 1860 Backhouse, in response to the order allowing Roman Catholic priests access to their faithful in the workhouse, moved:

⁴⁶ "Cleobury Mortimer Book Society".

⁴⁷ Richard Burn, ed. *Justice of the Peace and Parish Officer*, 23rd ed. (London: 1823), p.413; *Hereford Journal*, April 8th 1818; 55 Geo. III c.137 *An Act to Prevent Poor Persons in Workhouses from embezzling certain Property provided for their Use; to alter and amend so much of an Act of the thirty sixth Year of his present Majesty, as restrains Justices of the Peace from ordering Relief to Poor Persons in certain cases for a longer period than One Month at a Time; and for other Purposes therein mentioned, relating to the Poor*, 1815, – under s.6 of the Act it was an offence for a churchwarden to profit from supplying the poor..

⁴⁸ TNA MH 12/9885 Report of Andrew Doyle, Poor Law Inspector regarding Cleobury Mortimer Union memorial to withdraw from the south-east school district, *Correspondence*, December 4th 1859 .

⁴⁹ TNA MH 12/9885 William Lacon Childe to Andrew Doyle, poor law inspector. *Correspondence*, May 13th 1859; the objections of farmers’ to the costs of the school at Quatt are given further discussion in an article on the 1861 education commission report (fn. 95) in 'Art. VII', *The Quarterly Review* 110, no. 220 (1861), pp.492-3.

That this Board being of [the] opinion that the issuing of the Order above referred to is the result of Popish influence, and also is a step in the way of the daring efforts now being made by Papists to undermine the principles of our Glorious Protestant Constitution in Church and State. As Protestants and loyal subjects of our beloved Queen we firmly and positively decline to give any directions to the Master of our Workhouse to enable him to act under it.⁵⁰

The farmer guardians also expressed uneasiness about whether a workhouse inmate, a dissenter, should be allowed to preach in workhouse clothes and the opinion of the Poor Law Commission was sought. In reply, their view was that the inmate was expressly allowed to attend the Wesleyan chapel and they hardly saw how the guardians could interfere with his preaching, which was properly a matter for the congregation.⁵¹

There are numerous instances of other professionals pitting themselves against each other for various reasons, especially the medical men. Fierce rivalry over appointment to medical districts had a negative impact on the poor who needed medical treatment and there were some well publicised and quite acrimonious cases of alleged negligence, which required the disproportionate involvement of the Poor Law Board and resulted in the censure or dismissal of various surgeons (see 2.3). At times, the guardians were deeply divided over issues, but surprisingly they could be united in a stand against the PLB. Yet, despite the battles and aside from the issue of school costs, there is little evidence of dissent amongst the guardians about how the poor should be treated. In fact, the only other major issue of disagreement – and one which led to some serious contention – was a proposal to change the regular board day: a change would have clashed with market days, causing problems for farmers.⁵² The Poor Law Board inspector, though, concluded that the farmers wanted the day changed to make it inconvenient for the *ex officio* guardians!⁵³

⁵⁰ SA PL5/13 *Guardians' Minutes*, Book N, January 30th 1860.

⁵¹ TNA MH 12/9882 *Correspondence*, November 2nd 1844.

⁵² TNA MH 12/9885 *Correspondence*, September 28th 1858 *et seq.*

⁵³ TNA MH 12/9885 Report of Andrew Doyle, *Correspondence*, December 4th 1858.

The *ex officio* guardians and clergy formed a small minority but with a great deal of influence under the rule-based new poor law. But it was the farmers, particularly, who wielded most influence. Under the old poor law, the poor rate was set and decisions on relief made by the overseers of the poor, a voluntary position filled by a parishioner, elected by the whole parish. Decisions were formally approved by the parish, though in practice this was delegated to a vestry committee, usually comprising overseers and churchwardens, which met regularly to conduct business.⁵⁴ Though the meetings were chaired by the incumbent, who had a degree of influence, in the Cleobury Mortimer area they were mainly composed of farmers and, sometimes, professionals such as doctors, or lawyers. Farmer landowners with large holdings had greater political power due to the provisions of the 1818 Vestries Act, which had been adopted by Cleobury Mortimer.⁵⁵ A plural voting system was created which gave individuals additional votes depending on the rateable value of the property. Governance changed with the new poor law, when boards of guardians took over. Though also elected by parishioners they included, as *ex officio* members, the local justices of the peace – who were, in the main, local clergy and landowners. Although clergy had been *ex officio* members of select vestries since 1819,⁵⁶ the representation of local clergy became disproportionate. The number of clergy magistrates had risen strongly from the mid-1790s, until their numbers declined from 1830.⁵⁷ Part of the rise came from pressure on clergy to reside in their parishes and undertake county responsibilities, though the clergy themselves

⁵⁴ Known as ‘vestries’ from their habit of meeting in the vestries of churches, these committees had no legal basis, but had evolved after the decline of the feudal system. They were forbidden from meeting in churches in 1850 (*An Act to prevent the holding of Vestry or other Meetings in Churches, and for regulating the Appointment of Vestry Clerks*, 1850, 13 & 14 Vict. c.57).

⁵⁵ 58 Geo. III c.69 *Act for the Regulation of Parish Vestries* 1818.

⁵⁶ 59 Geo. III c.12 *Act to amend the Law for the Relief of the Poor* 1819.

⁵⁷ Robert Hole, *Pulpits, Politics and Public Order in England, 1760-1832* (Cambridge: Cambridge University Press, 2004), pp.252-3.

remarked that landowners, too, should step up to the mark.⁵⁸ The decline in clergy magistrates was a result of a strong body of opinion that doubted the propriety of active clergy involvement.⁵⁹ However, magistrates were appointed for life, so local clergy continued to sit on boards and no doubt had a deal of influence, as revealed in the guardians' minutes. In 1836, somewhat contradicting the suggestion by Peter Mandler that clergy were more supportive of outdoor relief,⁶⁰ the Revd. William Otter, vicar of Kinlet and soon to be Bishop of Chichester,⁶¹ proposed that no relief was to be given to any pauper in the union outside the workhouse.⁶² The Revd. Henry Lingen, curate of Rock, was equally inclined to dismiss such applications.⁶³

Local landowners did not feature in the vestry committees, but as magistrates and *ex officio* guardians they were influential in the union, though it appears their influence was benevolent. In late December 1843, Pope, the union surgeon, was returning from a begrudging visit to an elderly pauper when he encountered Lacon Childe, then chairman of the guardians, who insisted that Pope return to the patient the next day.⁶⁴ The records contain many similar tales, where guardians – especially the *ex officio* guardians – took personal interest in individual paupers, or their circumstances, in some cases going as far as personally

⁵⁸ For example, Francis E. Witts, Revd., *The Diary of a Cotswold Parson* (Stroud: Alan Sutton, 1978) : 'most desirable it is that the younger squires should engage in the county business and not leave all to the clergy ...', p.72.

⁵⁹ W.M. Jacob, *The Clerical Profession in the Long Eighteenth Century, 1680-1840* (Oxford: Oxford University Press, 2007), p.233.

⁶⁰ Peter Mandler, 'The Making of the New Poor Law Redivivus', *Past & Present*, no. 117 (1987), p.140.

⁶¹ Burns, Arthur. 'Otter, William (1768–1840), bishop of Chichester.' *Oxford Dictionary of National Biography*. 23 Sep. 2004; <https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-20935>. [Accessed August 17th 2016]. Otter was the first principal of King's College, London and became Bishop of Chichester soon after this meeting. He was a friend of Thomas Malthus and subscribed to his views.

⁶² SA PL5/1 *Guardians' Minutes, Minute Book A*, July 25th 1836. Note that this pre-dates the general prohibitory order by eight years (Poor Law Commissioners, *Out-Door Relief Prohibitory Order*, London, December 21st 1844.) .

⁶³ For example, SA PL5/2 *Guardians' Minutes, Book B*, May 20th 1839, June 8th 1839.

⁶⁴ SA PL5/5 *Guardians' Minutes, Minute Book E*, January 8th 1844.

providing able-bodied paupers with work.⁶⁵ Lacon Childe was one of three individuals who together held just under 50 percent of the total land in the union parishes.⁶⁶ Across the county, 60 percent of land owners had less than an acre, but in the union area, ownership was dominated by Lacon Childe and Sir Edward Blount, who were for many years chairmen of the guardians, and both of very old landed families; the third, Thomas Woodward, was an active magistrate and rector of Hopton Wafers who had inherited that manor and estate.⁶⁷ All three were also significant ratepayers and their influence on the local operation of the poor laws, post-1836, is clear from the minutes and correspondence.

There is no particular evidence that that influence may have been a result of their comparative wealth, or position in local society, and neither they nor their predecessors took any large roles under the old poor law system. There was, though, an increasing tension between the landowners and the farmers and professionals which culminated in the resignation of the chairman of the guardians. There is evidence that the landowners were inclined to benevolence whereas the others were less likely to be magnanimous. The major landowners, perhaps more comfortable in their position, were also less likely to be influenced by ‘character’ when determining eligibility for relief.

⁶⁵ SA PL5/4 *Guardians’ Minutes, Minute Book D*, November 16th 1840.

⁶⁶ *England and Wales. (Exclusive of the Metropolis.) Return of Owners of Land, 1873*, (C.1097), 1874 Thomas Woodward of Hopton Court, Hopton Wafers; Sir Edward Blount of Mawley Hall, Cleobury Mortimer; and William Lacon Childe of Kinlet. Although the return is dated 1873, these estates were little changed throughout the century. Often called the modern Domesday book (described by Bateman who republished corrected surveys of land over 2,000 acres: John Bateman, ed. *The Great Landowners of Great Britain and Ireland ...* (London: Harrison & Sons, 1883)), the Victorian ‘return of owners of land’, set out to list all owners of land over one acre in extent. Though it excluded London and contained numerous errors, it largely served its purpose but is not particularly useful to historians. Drawn from rate-books, the final analysis serves as a prime example of the perils of coding and abstracting data: though the raw data include parish details, they were excluded from the later returns. For example, the return shows Thomas Woodward, landowner in Bewdley as owning 3230 acres in Shropshire without saying where, though it is known that he owned all but a few acres of Hopton Wafers, which leaves over 1700 acres elsewhere in Shropshire (records of Hopton Court, Shropshire: by kind permission of C. Woodward). The return does not indicate that a landowner shown with an address in a Union parish, and owning land in Shropshire, actually owned that amount of land in that particular parish.

⁶⁷ Thomas Woodward is mentioned frequently in contemporary reports of magistrates’ proceedings and surviving court records.

2.5 Population and ratepayers

There were no regular censuses until 1801,⁶⁸ but parish register examination shows that the population of Cleobury Mortimer more than doubled during the eighteenth century, increasing at a greater rate than that for England as a whole.⁶⁹ Revd. William Elliott's register calculations projected a population of as much as 1600 towards the end of the eighteenth century, depending on method, though that must be too large. The 1801 census showed a population in Cleobury Mortimer of 1368 rising to 1582 in 1811.⁷⁰ Other writers have commented on that large increase, but none give any explanation. Goodman extrapolated figures, using parish register births and deaths, to show the change from the Compton census of 1676, to 1801 and 1811, but managed to use all three figures as supplied.⁷¹ Unfortunately, for Cleobury Mortimer there is a problem: the official figures show an early nineteenth-century increase of almost 16 percent, but with only four additional houses and a reduction of two in the number of families.⁷² Clearly, something is not quite right. On the other hand, the population increases in Highley and Rock led to large increases in the amount of housing. Generally, the figures are quite difficult to follow. For example, Coreley showed an increase of almost 100 from 1801-1811, but only nine families and four additional dwellings, whereas ten years later the population was almost the same, but families had increased by over 10 percent and housing by 16 percent.

⁶⁸ No detailed pre-1841 census records for south-east Shropshire are known to exist. Richard Wall, Matthew Woollard, and Beatrice Moring, *Census Schedules and Listings, 1801-1831: An Introduction and Guide* (Colchester: Dept. of History, University of Essex, 2012, 2004).

⁶⁹ Revd. Wm. Elliott, 'The Population of Cleobury Mortimer: 1601-1981', *Cleobury Chronicles* 1 (1991); Peter R. Cox, *Demography*, 1976 ed. (Cambridge: Cambridge University Press, 1950).

⁷⁰ *Census of Great Britain, 1851*.

⁷¹ Goodman, 'Hammerman's Hill' p.390.

⁷² *Census of Great Britain, 1851*.

Table 3 - Population data taken from annual returns

	1801	1811	1821	1831	1841	1851	1861	1871
Aston Botterell	247	194	230	260	173	180	171	159
<i>figures in italics show percentage change from the previous year</i>		-21	19	13	-33	4	-5	-7
Bayton	389	403	466	445	559	443	447	439
		4	16	-5	26	-21	1	-2
Cleobury Mortimer	1368	1582	1602	1716	1730	1738	1619	1708
		16	1	7	1	0	-7	5
Corley	458	560	566	553	525	554	515	594
		22	1	-2	-5	6	-7	15
Farlow		309	345	345	361	358	304	311
			12	0	5	-1	-15	2
Highley	274	483	424	404	360	359	407	293
		76	-12	-5	-11	0	13	-28
Hopton Wafers	392	434	459	473	481	444	440	407
		11	6	3	2	-8	-1	-8
Kinlet	602	527	552	532	480	447	424	431
		-12	5	-4	-10	-7	-5	2
Loughton	130	146	119	112	113	101	100	81
		12	-18	-6	1	-11	-1	-19
Mamble	338	231	386	355	377	381	307	307
		-32	67	-8	6	1	-19	0
Milson	134	129	125	156	160	170	157	150
		-4	-3	25	3	6	-8	-4
Neen Savage	469	464	485	450	490	448	452	403
		-1	5	-7	9	-9	1	-11
Neen Sollars	197	209	235	208	190	218	189	211
		6	12	-11	-9	15	-13	12
Rock	352	835	1266	1307	1397	1435	1379	1375
		137	52	3	7	3	-4	0
Silvington	62	54	38	30	46	27	47	59
		-13	-30	-21	53	-41	74	26
Stottesdon	1351	1328	1263	1234	1214	1187	1214	1246
		-2	-5	-2	-2	-2	2	3
Wheathill	152	160	141	123	140	143	123	126
		5	-12	-13	14	2	-14	2
Grand Total	6915	8048	8702	8703	8796	8633	8295	8300
		16	8	0	1	-2	-4	0

It is interesting to note that, although there are some significant changes in individual parishes, in the union overall, after an initial increase, there is very little change in the period 1811 to 1871.⁷³ The population of Cleobury Mortimer increased only by 2 percent over the period 1821-1861, compared with other market towns in Shropshire such as Bridgnorth (42

⁷³ Population figures derived from the census for each year are shown at Appendix C.

percent) and Ludlow (25 percent).⁷⁴ There was, however, a good deal of migration, both in and out. Elliott draws attention to the decline, decade on decade, in the number of people who were aged under five in the 1841 census (out-migration) and the marked increase in the 61-65 age group in 1851, compared to those aged 51-55 ten years earlier (in-migration).⁷⁵ Goodman suggests that levels of migration in 1741-1750 and 1781-1790 were as high as 57 percent. Population change and, particularly, the in-migration of older people influenced the provision of poor relief.

As shown in *Table 4*, the overall number of ratepayers in Cleobury Mortimer itself was small. At the beginning of the period, in 1770, there were about 170 when the population was estimated to be around 1100.⁷⁶ In Hopton Wafers and Neen Savage, the proportion was even lower.

Table 4 - Numbers of ratepayers in some parishes

Parish	Year	Ratepayers	Population in 1801 ⁷⁷
Cleobury Mortimer	1770	170	1368
Hopton Wafers	1792	35	392
Neen Savage	1782	37	469
Wheathill	1786	10	152

Yet, although the burden of the poor rates fell on landowners and farmers, there is evidence of only one episode of dissent. In 1782, the Cleobury Mortimer vestry ordered a warrant to be applied to pursue fifteen ratepayers who had refused to pay the poor levy.⁷⁸ It is not clear why they refused – the rate that year was levied at 3s 9½d., down from 7s 7d. the previous year and well below the 10s 0¼d. levied a few years earlier.⁷⁹ Despite the very large fluctuations in the rate, aside from this one episode there is no evidence to suggest any other difficulties with collecting the poor rates – other than the normal issue of people falling into

⁷⁴ Walsh, 'The Administration of the Poor Laws in Shropshire, 1820-1855' p.31.

⁷⁵ Elliott, 'The Population of Cleobury Mortimer: 1601-1981'.

⁷⁶ Idem. .

⁷⁷ These are the earliest population figures available, taken from *Census of Great Britain, 1851*.

⁷⁸ SA P71/C/3/1 *Vestry Minutes*, April 24th 1782.

⁷⁹ SA P71/L/1/4 *Overseers' Accounts* .

arrears. Even in Wheathill parish where early poor rate assessments were made on only ten people – a very small number – the poor were maintained in a variety of ways with no apparent objections from the ratepayers until 1810. In that year a vestry meeting simply took note that ‘several parcels of land have never been assessed to the poors [*sic*] loan and the assessments of the parish are in some respects unequal’. The meeting ordered an equal assessment which increased the number of landowners assessed to thirty-three.⁸⁰ There were occasional requests for reduction in rate assessments, but one can only wonder at the circumstances that led to reductions for a small group in 1862. The minutes record, without comment, that the assessments for the then four major landowners were to be reduced. The members of the assessment committee, who included the four themselves, voted for the change.⁸¹

Perhaps it was as well that the population of Cleobury Mortimer was largely static throughout the period. Significant increases in the population itself may not have resulted in an increase in the number of ratepayers who would have to have met the increase in costs to support the poor. Whilst there may have been some resistance from the major landowners who would have seen their rates increase, the burden would proportionally have been greater on the farmers and professionals who would likely have objected strongly.

2.6 Economics of the area

2.6.1 Agriculture and land usage

Joseph Dodd painted a depressing picture in his thesis on Shropshire agriculture:

In 1800, agriculture practice in the county was, generally speaking, extremely backward; many farmers, probably the majority, were illiterate, and were greatly opposed to any attempts to introduce new methods and ideas. Old

⁸⁰ SA P302/L/1/1 *Parish of Wheathill, Overseers Accounts*, April 24th 1810.

⁸¹ SA PL5/144 *Assessment Committee Minute Book (1862-1894)*, December 1st 1862.

antiquated wooden implements were commonly in use; old outdated practices were adhered to; [...]

The agricultural labourer and his family were depressed; [...] rural housing was abominable; much of the labourer's wages was in the form of 'truck', perquisites and drink. Child labour was not uncommon [...]⁸²

Land use today is over 97 percent greenspace (agriculture, open spaces and gardens)⁸³ – unchanged from what it was in the nineteenth century. *Table 5* shows usage from the 1854 Agricultural Statistics:

Table 5 - Agricultural usage in the Cleobury Mortimer Poor Law Union area in 1854⁸⁴

		Acres	percentage
Arable	Cereal	8967	17.73
	Legumes	1317	2.60
	Root vegetables	1917	3.79
	Hops	38	0.08
	Other crops	6	0.01
	Land lying fallow	3144	6.22
Non-arable	Pasture	25229	49.89
	Woods and plantations	3782	7.48
	Other (houses, gardens, small plots)	3002	5.94
	Not accounted for	3171	6.27

Agriculture was important to the economy of the area and occupied almost one quarter of the working population. *Table 6*, taken from national census data, shows a marked decline in the number of farmers from 1851 to 1871 – from 3.61 percent of total employed to 2.66 percent. In the union, numbers were relatively steady – and percentage-wise showed a slight increase. For agricultural workers, there is a reduction of 41 percent nationally in those employed in agriculture, but only 14 percent for the union. Essentially, the Cleobury Mortimer area had a low wage economy.

⁸² Dodd, 'Shropshire Agriculture 1793-1870', pp.15-16.

⁸³ 'Land Use Statistics for 2001', *A Vision of Britain through Time*, [Accessed November 6th 2014], URL: <http://www.visionofbritain.org.uk/unit/10091755/cube/LAND2001>.

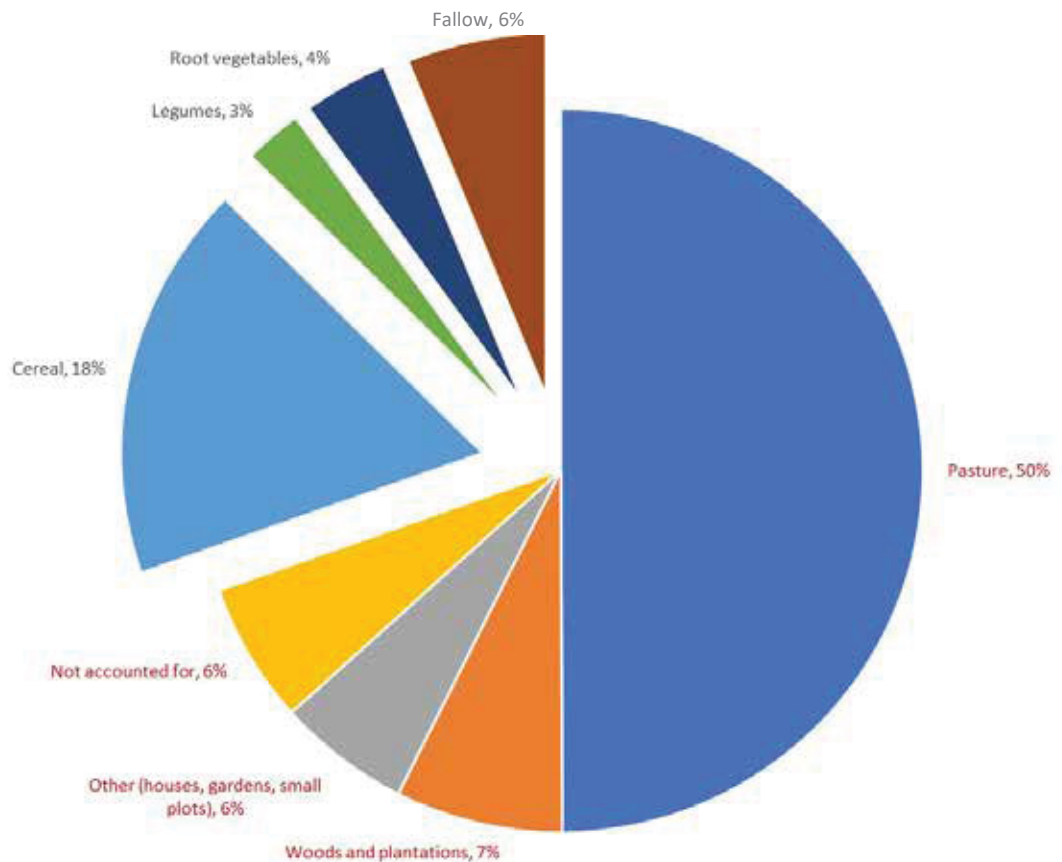
⁸⁴ *Agricultural Statistics (England). Reports of Poor Law Inspectors on Agricultural Statistics. (England.) 1854, [1928], 1854.*

Table 6 - Number of farmers and agricultural workers in the Cleobury Mortimer Poor Law Union area⁸⁵

	1851	1861	1871
Farmers			
No. of farmers as percent of employed in England and Wales	3.61	-	2.66
No. of farmers in the union area	256	232	263
- as percent of employed	5.43	5.32	5.53
Agricultural workers			
No. of agricultural workers as percent of employed in England and Wales	17.80	14.36	10.44
No. of agricultural workers in the union area	883	750	763
- as percent of employed	18.73	17.21	16.05

⁸⁵ National figures compiled from Parliamentary Papers 1852-3, 1863 and 1873. Added by Marjie Bloy Ph.D., Senior Research Fellow, National University of Singapore [Accessed September 14th 2014] URL: www.victorianweb.org/history/census.html; Union figures compiled by author from specially transcribed census data.

Figure 3 - Land use in the Cleobury Mortimer Poor Law Union area, 1854⁸⁶



Many of the farms were small – at least one quarter were less than 50 acres. However, Cleobury Mortimer had many more large farms than the national average. In 1851 and 1871, there were almost 50 percent more farms between 100 and 300 acres and over 300 acres than across England. Smaller farms (less than 100 acres) were between two thirds and three quarters of the national figure. The majority of the land was in the hands of a small number of owners and many of the farmers were tenants, but some were landowners in their own right. The predominance of agriculture in the local economy was an important factor in the operation of poor relief. Crop production was highly seasonal and labour demands varied depending on the weather. But those working with livestock would have been at risk of unemployment after the calving and lambing seasons. Snell found that during the period

⁸⁶ *Agricultural Statistics (England). Reports of Poor Law Inspectors on Agricultural Statistics. 1854.*

1750-1860 the seasonal distribution of male unemployment became more pronounced.⁸⁷ The reliance of many of the working population on seasonal employment meant that the need for poor relief was variable throughout the year, but also greater than that in areas where employment was more regular. For many, poverty was periodic and predictable and required access to support from the poor law.

2.6.2 Industry

Cleobury Mortimer is just under twenty miles as the crow flies from Ironbridge, an alleged 'birthplace of the industrial revolution'.⁸⁸ Yet the glow of the furnaces did not reach Cleobury in its relatively isolated position. Despite the availability of some natural resources, industry did not develop, so opportunities for well-paid employment were limited. The absence of any substantial industrial employment in the area meant not only that there were few jobs outside agriculture but that there were also very few well-paid jobs. The earliest recorded industry is the making of wooden bowls and plates,⁸⁹ until the decline of the forests, and clay-tobacco pipe making in the early eighteenth century.⁹⁰ The only major industry in the immediate area was carpet making established at Bewdley and Kidderminster in the 1790s, but which had no impact on the union parishes. The area also had a mix of flour and corn mills, stone and quarry works and a fulling mill is mentioned at Wrickton (north of Oreton) in 1783. But there were two, slightly more significant industries, during the late eighteenth and nineteenth centuries.

⁸⁷ K. D. M. Snell, 'Agricultural Seasonal Unemployment, the Standard of Living, and Women's Work in the South and East, 1690-1860', *Economic History Review* 34, no. 3 (1981), p.411.

⁸⁸ www.ironbridge.org.uk [Accessed: 14 January 2015].

⁸⁹ William Page, ed. *The Victoria History of Shropshire*, vol. I (Edinburgh: A Constable & Company, 1908).

⁹⁰ Dr. David Higgins, 'Clay Tobacco Pipes from Cleobury Mortimer', *Cleobury Chronicles* 5 (1999).

Papermaking

Papermaking arrived in Shropshire in the seventeenth century: the first recorded mill was Langley mill at Milson (a union parish) in 1650.⁹¹ There is an early reference to a paper mill in Hopton Wafers in 1723, and by 1816 Thomas Botfield, the owner of the manor of Hopton Wafers, owned three mills there.⁹² James Stevens established Walford's mill at Neen Savage, a former blade and corn mill, in 1791. This was bought as a working mill by Thomas Lambert Hall, a farmer, in 1807 but is known not have been in use by 1875. Down the River Rea, Lloyds Mill was set up in a former corn mill and began to produce paper in 1829. In 1880 it was owned and run by John Harcourt Browne who claimed to have employed five men, three boys and twelve women. The 1881 census gives a foreman, four paper makers (including one woman), a rag sorter, two paper sorters, a paper picker and five general labourers from six extended families. The foreman was from Llanfyllin in Montgomeryshire and two of the paper makers from Bradnich in Devon. The mills produced a wide range of products – specialising in blotting paper and leather paper. During the Crimean war of 1854, all the ball cartridge paper was made in Cleobury Mortimer.⁹³ But papermaking did not last long. By 1881 only three of the seven mills in Shropshire at 1841 were still active – two of those in Neen Savage. The mill at Charlcombe had gone by 1830, one of the mills at Hopton Wafers by 1826 and the other two in 1840. Langley Mill at Milson was closed in 1785 and Sturt (between Kinlet and Button Oak) was up for sale in 1830. Despite the number of mills, perhaps only as many as fifty persons were employed, and they therefore provided little work for the poor. Those who were lucky enough to find employment in papermaking did well as there is no evidence that any of them claimed relief

⁹¹ James Martin, 'Papermaking in the 19th Century', *idem* 8 (2008), p.41.

⁹² A. H. Shorter, *Paper Mills and Paper Makers in England, 1495-1800* (Hilversum: Paper Publications Society, 1957).

⁹³ J.W. Southern, 'The Birthplace of England's Earliest Bard', *The Newbery House Magazine*, no. 5 (1893), p.492.

Forges

There is a long history of ironworking in the area. From the Clee Hills to the Wyre Forest there were plentiful supplies of wood, coal, lime and ironstone (all noted by Leland) and many streams to supply waterpower. Two medieval bloomeries are known and there is evidence of iron working at Neen Savage.⁹⁴ Cleobury Mortimer was home to one of the very earliest ironworks in the country when Robert Dudley set up his forge near the town sometime between 1563 (when there is no mention in a survey) and 1571 (a lease mentions a ‘forge situate at Rowley’ – now Lower Forge).⁹⁵ There would need to have been a furnace not far away, and remains of two were found at Furnace Mill and Cleobury Park: one of these two must have been in existence by 1571.⁹⁶ Both are likely to have been in operation by 1586, along with another forge, likely at the site now known as Upper Forge. The Blount family later controlled all four operations. During the seventeenth century, there are numerous references in the parish registers to relevant occupations and to ‘the Forge’, though that is likely to be the row of cottages built to accommodate workers.

The product of the forges had a good reputation. The church of St Laurence in Ludlow – some ten to eleven miles away – was repaired using Cleobury iron in 1636-7, even though there were forges nearby and it may be Cleobury iron which was described by Andrew Yarranton as being ‘the best Iron in the known World’, along with that from the Forest of Dean.⁹⁷ References continue in the parish registers throughout the eighteenth century. One John Lewis, who worked the Lower Forge, established a blast furnace further away at Knowbury on the Clee Hill, in 1826, and a forge soon afterwards. The Lower Forge is

⁹⁴ "Discovering Shropshire's History, Bloomeries and the Medieval Industry," www.discovershropshire.org.uk, [Accessed: October 1st 2014]

<http://www.discovershropshire.org.uk/html/search/verb/GetRecord/theme:20091105221836>.

⁹⁵ H. R. Schubert, *History of the British Iron and Steel Industry from c.450 B.C. to A.D.1775* (London: Routledge and Kegan Paul, 1957), p.371.

⁹⁶ Mark Baldwin, 'Ironworking in Cleobury Mortimer: Part I', *Cleobury Chronicles* 3 (1994), p.40.

⁹⁷ Andrew Yarranton, *England's Improvement by Sea and Land ...* (London, 1677), p.147.

thought to have ceased operation around 1830.⁹⁸ In any case, the number employed was very small.

Other industry

Coal

Coal was mined across the area from early times – but only in very small, crude workings. Bell pits existed in many different places. A pit was established at Stanley, on the banks of the Severn, in Highley parish but was only in operation from 1804 to 1824 when the coal seam was lost through faulting.⁹⁹ The difficulties encountered meant that there were no further attempts to mine coal until the latter part of the nineteenth century. However, coal working continued in Mamble throughout the whole of the period under study.

Nail making

Little of the iron produced in the Cleobury forges was used locally, although some specialised metal working trades grew up in and around the town, as well as blacksmiths. Very much a cottage industry, there was a number of master nailers who will have employed assistants. A number of people are recorded in the parish registers as associated in some way with nail making, but the registers do not give any indication of how widespread the trade was. However, in July 1767 seventeen settlement examinations were undertaken: seven of these were for people identified as nailers; no occupations were given for the others.¹⁰⁰ Of the seven, six came from the nail making areas of the Black Country and Bromsgrove; the seventh all the way from County Durham. There must have been some pull towards

⁹⁸ "Discovering Shropshire's History, the Cleobury Forges ", www.discovershropshire.org.uk, [Accessed: October 1st 2014] <http://www.discovershropshire.org.uk/html/search/verb/GetRecord/theme:20091105221836>.

⁹⁹ A fault is a fracture or discontinuity in a volume of rock across which there has been displacement as a result of rock-mass movement. If the coal seam reaches a fault, the seam may be significantly displaced, depending on the type of fault and its offset.

¹⁰⁰ There is no evidence that the nail makers were claiming relief or simply deemed likely to be chargeable. The surviving overseers' accounts commence in 1769, two years after the examinations took place.

Cleobury, suggesting a well-established trade centre.¹⁰¹ But nail making never took off because the machine-cut nail trade took over – and nail makers based in the Black Country were better able to take advantage of transport links, as well as ensure lower prices.

The absence of any substantial industrial employment increased the pressure on the poor law system – the unemployed had little opportunity for employment and families found it difficult to make ends meet.

2.7 Influences on the operation of the poor laws

Though there were some clear differences in the way in which individual parishes operated their systems of relief under the old system (covered in Chapter 3), as needs arose, or increased, the vestries simply levied a rate and the overseers disbursed. There are few instances of refusal and the overwhelming impression given by the remaining records is of a system in which needs are met, simply and in a matter-of-fact way. People worked hard, well into old age and there are very few examples of the idle poor. Charity was regularly given to people passing through the parishes and those who lived there could expect to be helped with relief in the form of money, food, clothes, tools and accommodation. Those who had money seemed to accept the demands of the poor rate. Perhaps the concept of the inevitability of poverty, with the possibility that ratepayers themselves could succumb, was a reason. Their attitudes were governed by the Christian requirement to provide for the poor as preached by Chrysostom, for example.¹⁰²

Under the new poor law, things changed somewhat. Though out-relief was deprecated and later forbidden, it was still provided, but there is much more evidence of refusals – often for reasons of character. Some of the landowning local clergy took a harsh stance – in

¹⁰¹ David Poyner, 'Nail Making in Cleobury and District', *Cleobury Chronicles* 12 (2016).

¹⁰² 'Not to enable the poor to share in our goods is to steal from them and deprive them of life. The goods we possess are not ours, but theirs.' St John Chrysostom, *Hom. de Lazaro* 2, 5: PG 48, 992 quoted in *Catechism of the Catholic Church*, (London: George Chapman, 1994), p.523.

contrast to other clergy who pleaded individual cases – yet the major landowners were more inclined to help, often personally. The guardians' minutes do not record how relief decisions were reached though in many cases the decision followed a recommendation from the guardian of the pauper's parish, and it can be assumed that decisions were rarely, if ever, made on factional lines. Whilst individuals were dealt with on the merits of their claim, the same cannot be said for many other decisions – appointment of officers, cost of education, administration of the workhouse, matters of religion or general administration of the board to name a few. The minutes are replete with examples of how lines were drawn between groups that included farmers on the one hand and *ex officio* guardians on the other, with frequent recourse to the Poor Law Commission (and later Board) to adjudicate. Despite the disagreements – and a certain amount of acrimony between individuals outside the context of the board – it does not appear that the poor themselves were unfairly disadvantaged in any way, other of course than being poor.

3. The provision of relief

3.1 Introduction

In a system that had developed since the 1601 Poor Law Act made parishes responsible for the poor,¹ as elsewhere, the parishes in the Cleobury Mortimer union area had settled into their own ways of providing relief. By the end of the eighteenth century and into the nineteenth, although there were two workhouses in the area, there were very few inmates, mostly the infirm, and the provision of out-relief (or outdoor relief), which allowed the poor to stay in their own homes, was the norm. When the law changed in 1834, out-relief was strongly discouraged (and later forbidden to the able-bodied),² yet guardians still clung to the old ways. Smith described the guardians in Newport, northern Shropshire, as unsophisticated people whose common sense said out-relief was simple and familiar, and that they should not act very differently from their parish predecessors.³ Perhaps not so for the guardians of the Cleobury Mortimer Union. Their first sixteen meetings were purely administrative,⁴ but at the first meetings to decide pauper cases in 1836, they decided that it was not their duty to offer William Wheale relief out of the workhouse and that Ann Evans' character did not justify further relief (she should go to the workhouse if she applied again). The Revd. Henry Lingen raised the first of his, mostly unsupported, motions against relief for applicants.⁵

Snell described rural parishes under the old poor law as 'miniature welfare states', with a relief policy that was 'generous, flexible and humane' at least until 1780 when strains such as structural unemployment and rising poor rates produced changes.⁶ Snell did not

¹ 43 Eliz. I c.2, *An Act for the Relief of the Poor*, 1601.

² *Out-Door Relief Prohibitory Order*.

³ Smith, 'Newport Workhouse and the Problem of Children', p.12.

⁴ SA PL5/1 July 14th 1836 to September 27th 1836 inclusive.

⁵ Ibid. October 17th 1836 (Henry Lingen was vicar of Rock and an elected guardian).

⁶ Snell, *Annals of the Labouring Poor*, p.107. The term 'welfare state in miniature' was originally coined by Mark Blaug, 'The Poor Law Report Reexamined', *The Journal of Economic History* 24, no. 2 (1964) p.229.

define what he meant by welfare state but the *OED* definition: ‘a system whereby the state undertakes to protect the health and well-being of its citizens, especially those in financial or social need, by means of grants, pensions, and other benefits’,⁷ substituting ‘parish’ for ‘state’, is a useful start. Though the term itself is recent,⁸ it could be argued that the systems under both the old and new poor laws were precursors to aspects of the welfare state. Whilst state-imposed, they were parish-run and an alternative to the ‘night-watchman’ state, which lasted until at least the mid-Victorian period.⁹ Although Snell gives the example of Ardleigh in Essex, in support of a generous approach to relief,¹⁰ he does not explain why provision was flexible and only makes reference to humane in the context of a few practices which he considers were not.¹¹ There is little sign in the Cleobury Union parishes of the changes in relief identified by Snell,¹² though records do not exist for them all.¹³ Though they do not indicate how decisions were made or provide information on those denied relief, the overseers’ accounts are a very rich source of detail about what was provided to paupers under the old poor law. They show, for example, the extent to which people received not just ad-hoc relief but regular payments and a huge variety of relief in kind: clothes, food, medicines, tools, building materials, even a whole house. On the other hand, the guardians’ minutes for the union afford evidence of actual decisions – often with some inkling of a reason. Both sets

⁷ *Oxford English Dictionary*, 3rd ed. (Oxford: Oxford University Press, 2014) s.v. ‘welfare state’.

⁸ It was first used to describe Labour Britain after 1945: Asa Briggs, ‘The Welfare State in Historical Perspective’, *European Journal of Sociology / Archives Européennes de Sociologie / Europäisches Archiv für Soziologie* 2, no. 2 (1961), p.221.

⁹ The term ‘night-watchman state’ was coined (as *Nachtwächterstaat*) by Ferdinand Lassalle in a speech in 1862 (George Brandes, *Ferdinand Lassalle* (London: William Heinemann, 1911) pp125-26). Lassalle characterised the role of such a state as ‘confined to preventing burglary and theft’, ‘simply and solely to secure the personal freedom of the individual and his property’. Local evidence of criminal trials and imprisonment suggests this was a role taken seriously.

¹⁰ Snell, *Annals of the Labouring Poor*, pp.107-9.

¹¹ *Idem*, pp.106, 112-3.

¹² *Idem*, p.109 ‘During the high price years of 1795 and 1800-1 payments for clothes, fuel, nursing, burials, shoes and the rest were greatly minimised; and, after 1815 such payments virtually ceased altogether.’

¹³ Overseers’ accounts survive for Aston Botterell, Cleobury Mortimer, Coreley, Highley, Hopton Wafers, Neen Savage and Wheathill. Of those, the accounts for Coreley, Hopton Wafers, Neen Savage and Wheathill all cover the period immediately prior to the formation of the union.

of documents, therefore, allow the validity of Snell's statement to be examined: to what extent did the provision of relief in the union parishes prior to 1834, and in the union itself after 1834, represent a 'miniature welfare state' and just how far was this provision 'generous, flexible and humane'? These questions provide a basis for determining the differences between the two regimes, but first the following section examines the truth of Snell's statement under the regime of the old poor law.

3.2 Under the old poor law

Local officials based out-relief on an intimate knowledge of their parishioners.¹⁴ This meant providing casual relief in money, pensions for the aged and infirm, relief in kind by way of flour, potatoes, meat and clothes, paying rent or providing tools to allow a person to follow a trade. In some cases, the parish paid for repairs to houses and there are even examples that houses were built from scratch.¹⁵ Each of the seven sets of parish overseers' accounts is distinctive in its own way. This is not surprising, as there were many differences between the parishes themselves. Aston Botterell and Wheathill were remote and sparsely populated, on the upper reaches of the Clee Hills; Coreley was on the lower slopes. One landowner held all but a small portion of Hopton Wafers. All four, plus Neen Savage, were distributed settlements, whereas Highley was a village. Cleobury Mortimer was almost a small town and the administrative and commercial centre of the area.

At the beginning of the research period, in Cleobury Mortimer itself, perhaps surprisingly, there were few people in receipt of regular payments from the overseers: in 1771, the number was less than two dozen, overwhelmingly women. Throughout the whole year, only four men were named and two of those only briefly. Payments were typically 1s.

¹⁴ Mark Blaug, 'The Myth of the Old Poor Law and the Making of the New', *The Journal of Economic History* 23, no. 2 (1963), p.160 makes the important point that most poor law authorities in the country were concerned with only a few hundred families and might be expected to be familiar with their personal circumstances.

¹⁵ SA P302/L/1/1 *Wheathill and Loughton Parish Records, Overseers' Accounts*, May 24th 1801.

per week, but although some were highlighted ‘in illness’, there is nothing to say what the circumstances of the pauper were. Over the next forty years or so, the number of paupers in receipt of ‘weekly pay’ stayed very similar, though the amounts increased. The system in Aston Botterell appears to have been different. Monetary payments were much less usual than relief in kind, which was very varied. The overseers’ accounts list the making and supply of various items of clothing; the provision of shoes, coal by the ton, rent, flour, wheat, cheese, beds and bedding; mending and cleaning; and even the fee and duty for baptizing a child.¹⁶ Several paupers had their rent paid.

Wheathill lies on the other side of the Clee Hill and was very sparsely populated. Two account books survive, from 1786-1837. As mentioned in Chapter 2, although early poor rate assessments were made on only ten people, regular payments were made only to between four and eight people from 1786-1816. There was very little casual relief though the other account entries were very varied. Money was paid in 1786 to George Davies, a regular recipient, ‘for bilding [*sic*] his house’. In 1789, payment was made for repairing Edward Davies’ house. In 1801, William Littleford who was in receipt of regular relief, had a house built and paid for on the poor rate: bricks and stone, carriage, straw, builders’, thatchers’ and blacksmiths’ bills amounting to £9 17s.¹⁷ It is not clear why a house was built, as rent of £1 17s. had only been paid for him seven months earlier. The cost represents five years’ rent so perhaps it was an investment. Francis Medlicott’s rent was only 7s., paid by the parish, but he was receiving three times the relief of Littleford (at 3s. per week) plus the keep of his child, clothing for them both, coals – and 7s. ‘for when his House was Rob^d.’¹⁸ Twenty years earlier, in Neen Savage, a man named Garbit had a house built for £16 5s. 2½d.¹⁹ This is an astonishing sum

¹⁶ SA P17/L/1/1 *Aston Botterell Parish Records, Overseers’ Accounts*, (October 1789 – April 1790).

¹⁷ *Idem*.

¹⁸ *Idem*.

¹⁹ SA P203/L/1/1 *Neen Savage Parish Records, Overseers’ Accounts*, April 1780.

– just over one third of the total raised in poor levy – but it is not known why it was spent. In the first thirty years of account entries, as with Hopton Wafers, the Wheathill overseer made regular and frequent charges for journeys. A good many of these were to Mr Mytton, presumably the local magistrate, for orders, but there were also regular journeys to Ludlow, Cleobury Mortimer and Bridgnorth, in relation to removals.

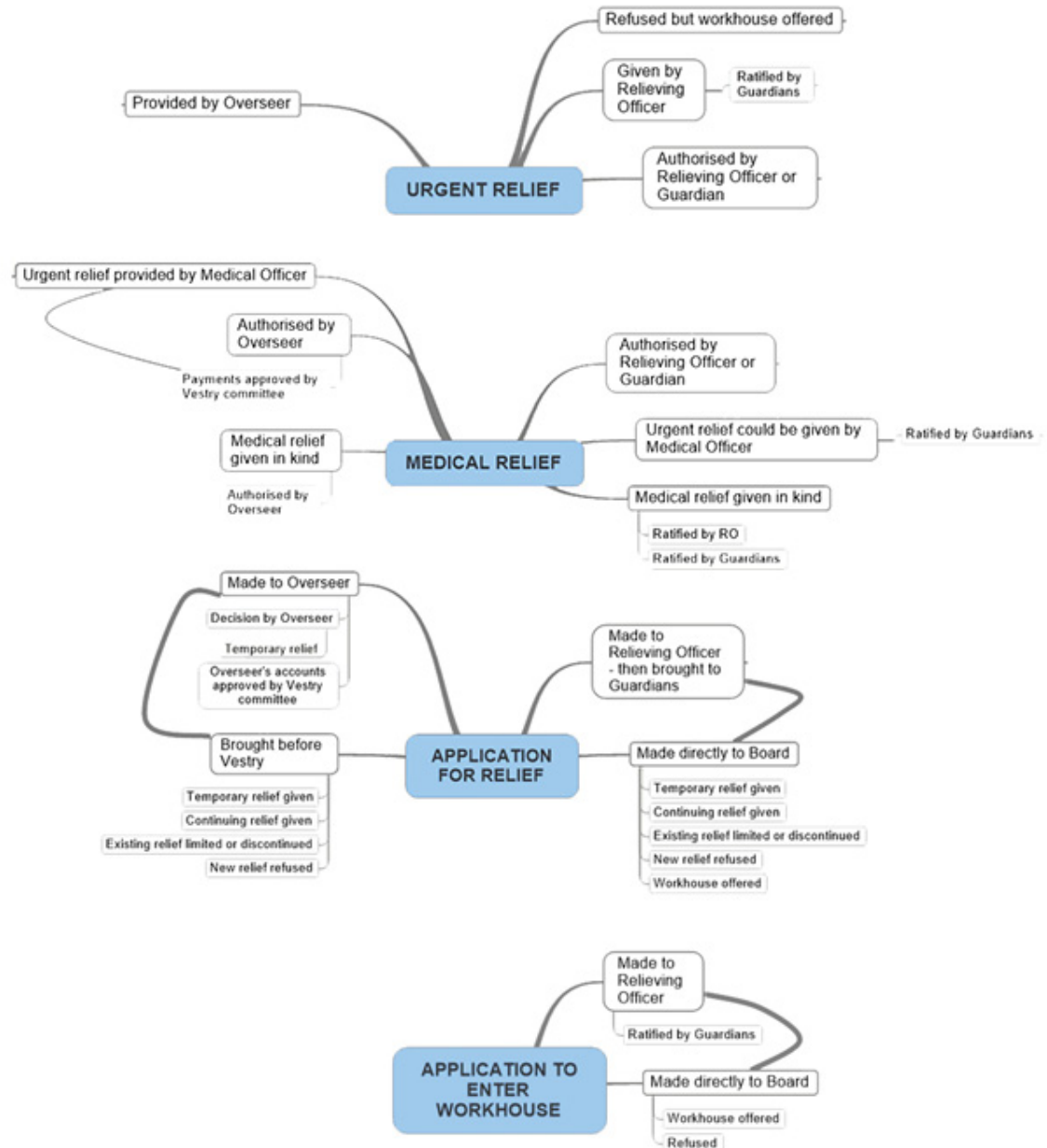
Margaret Venables was in receipt of regular weekly relief from at least 1762 until she died in 1784, aged 67.²⁰ For fifteen years, she was the only pauper receiving weekly pay in Highley, although she lived in Rock where the overseer went from time to time to see her. For the next five years until 1782, there were less than five or six, and then suddenly in 1783, the number more than doubled as did the total cost of maintaining the poor. Expenditure on poor maintenance rose from less than £20 in 1770, to almost £40 by the end of the decade. It then leapt to over £70 in 1783 and had reached £160 by 1795. There were still only around ten regular relief recipients, but whilst there were some substantial items of expenditure starting to appear, mostly on legal costs, and the county rate had doubled, the accounts show a significant increase in occasional relief in providing clothes and coal, and also what appear to be regular rent and lodging payments. This goes against Snell's findings for the period after 1795, in which he observed that relief in kind was greatly minimised.²¹

²⁰ SA P130/L/1/2 *Highley Parish Records, Overseers' Accounts (1762-1801)* .

²¹ See fn.12.

Figure 4 - Diagram showing how relief was generally provided before and after the Poor Law Amendment Act

Note: relief under the old poor law is shown on the left, under the new poor law on the right



Note: after 1834, Cleobury Mortimer did not have overseers.

It was normal for paupers to be given all or part of their allowance in flour, though this was not necessarily popular. A vestry clerk reported: 'Those that had been in the habit of frequenting the beer-shops do not approve much of the flour system'.²² A generous reading of the practice would be that it ensured that food was secured during the week. The average price paid for flour in 1839-40 was 11s., each gallon of flour costing 1s 4½d. in out-relief. It was not the best quality. The advertisements placed in the newspapers for tenders for the supply of flour referred regularly to 'flour of the third quality' being sufficient. Thirds were what was left after fine flour was extracted. In a parliamentary enquiry in 1812, one miller confirmed that thirds were sold to the poor, then said 'we might mix it. If it is only thirds, we suppose it to be for the pigs'.²³ Although the flour may not have been of the best, the regularity of payments and generosity of relief in kind support Snell's assertion that to settled inhabitants, in rural parishes before about 1780, relief policy was usually generous and flexible. In the research parishes, this 'generous and widely encompassing nature of relief' continued right up to the introduction of the new regime,²⁴ though, for some paupers, the system may have seemed unfair. Ann and Eleanor Hyde were told that Sarah Gough was to be placed in their house and that if they refused, their rent would no longer be paid.²⁵ In 1774, the vestry ordered that six-year old Thomas Pountney be turned out if his mother Eleanor did not go there.²⁶ These examples can be contrasted with the request by John Jones,

²² W. P. Mulliner, clerk to Hatfield Broad Oak Parish, *First Annual Report of the Poor Law Commissioners for England and Wales*, (500), 1835 Appendix C, p.206.

²³ *Minutes of Evidence Taken before the Committee on the Bill to Alter and Amend Two Acts, of the 31st Year of King George the Second, and the 13th Year of His Present Majesty, So Far as Relates to the Price and Assize of Bread, to Be Sold out of the City of London and the Liberties Thereof, and Beyond the Weekly Bills of Mortality, and Ten Miles of the Royal Exchange*, (259), 1812-1, p.9.

²⁴ Snell, *Annals of the Labouring Poor*, p.105.

²⁵ SA P71/C/1/1 *Vestry Minutes*, October 29th 1774.

²⁶ *Ibid.* June 12th 1774 Thomas was baptized on September 13th 1767, his father William buried on September 12th 1770. Eleanor remarried on September 8th 1776.

who wanted the parish to provide a house for him, his wife and three children. It was agreed that Mr Diggles, a vestry committee member, would find him a house and employment.²⁷

It is widely held that a life in poverty is a violation of the most fundamental component of all human rights – the violation of an individual's dignity.²⁸ Peter Lindert argued that the system of outdoor relief under the old poor law, particularly the flexible approach to how relief was provided, meant 'the limited dignity and privacy of being able to keep one's own residence'.²⁹ Whilst the indignities were much greater than under the new poor law, indignities there were. A law, finally repealed in 1810, required paupers to wear a cloth badge – a large P followed by the initial letter of the parish.³⁰ Although a number of writers, including contemporary sources, are of the opinion it was not widely practised,³¹ Hindle suggests that this 'visible degradation of the poor' was more widely prevalent.³² The first mention of badging in the area was in 1774 in Cleobury Mortimer, when it was ordered that any pauper who refused to wear the badge be turned out of the workhouse or have their relief refused.³³ Expenses for badging were recorded again in 1775, and in Highley over

²⁷ SA P71/C/1/2 *Vestry Minutes*, February 2nd 1820.

²⁸ Amanda Cahill and Sigrun Skogly, 'The Human Right to Adequate Food and to Clean and Sufficient Water', in *Law's Duty to the Poor*, ed. Geraldine van Beuren, Freedom from Poverty as a Human Right (Paris: Unesco Publishing, 2009), p.113, commenting on Commissioner Mary Robinson's declaration that poverty in its true light is 'a denial of a whole range of rights pertaining to the human being, based on each individual's dignity and worth': UN Commission on Human Rights, Summary Records, 41st meeting, 'Economic, Social and Cultural Rights', E/CN.4/2000/SR.41 May 1st 2000 para.2.

²⁹ Peter Lindert, *Growing Public: Social Spending and Economic Growth since the Eighteenth Century*, vol. 1 - The Story (Cambridge: Cambridge University Press, 2004).

³⁰ 8 & 9 Will. III c.30 *An Act for supplying some Defects in the Laws for the Relief of the Poor in this Kingdom*, 1697 – but there are examples of the practice throughout the sixteenth century: Steve Hindle, 'Dependency, Shame and Belonging: Badging the Deserving Poor, c.1550–1750', *Cultural and Social History* 1, no. 1 (2004), p.12; 50 George III c.52 *An Act to amend so much of an Act, passed in the Eighth and Ninth Year of King William the Third, as requires poor Persons receiving Alms to wear Badges*, 1810.

³¹ Sidney Webb, *English Poor Law History: Part 1. The Old Poor Law*, ed. Beatrice Potter Webb and Sidney Webb, vol. 1, English Local Government (London: Cass, 1963, 1927; repr., Facsimile reprint), p.161; Thomas Alcock, "Observations on the Defects of the Poor Laws [...]" (London: R. Baldwin, 1752).; Thomas Hanway, *Letters to the Guardians of the Infant Poor [...]* (London, 1768), p.121; Thomas Sokoll, *Household and Family among the Poor - the Case of Two Essex Communities in the Late Eighteenth and Early Nineteenth Centuries* (Bochum: Universitätsverlag Dr.N. Brockmeyer, 1993), p.67.

³² Hindle, *On the Parish?*, p.434.

³³ SA P71/C/1/1 *Vestry Minutes*, March 13th 1774.

several years from 1767-83.³⁴ There is no obvious reason why badging was put into practice in both parishes in the same period.

The relief system was generally run by the parish, with parishioners serving as unpaid overseers, but this was not always the case and there were periods when the responsibility for the poor was given to a third party for a fixed fee, which usually excluded the cost of removals – ‘farming the poor’. Cleobury Mortimer did this in 1789-91 and 1794 and Highley from 1790-94.³⁵ There is no explanation as to why it was done – perhaps an attempt to save, or at least fix, costs, or maybe the lack of a willing parishioner to take on the role of overseer. The wide variety of ways in which relief was provided suggests a great deal of flexibility in the system and there is a strong sense – from overseers’ accounts – that relief was often generous and that the well-being of recipients was clearly a factor in decisions. With provisos, both these support Snell’s idea of ‘welfare states in miniature’ and his view that the relief system was ‘generous, flexible and humane’, though he points out the distinction in treatment between settled and non-settled inhabitants.³⁶

3.3 Changes after 1834

That flexibility and humanity was lacking after the introduction of the new poor law, as exemplified by an early resolution of the Cleobury Mortimer guardians who ruled that (with few exceptions) no relief was to be given to any pauper in the union outside the workhouse.³⁷ The Revd. William Otter, vicar of Kinlet, had proposed this, but it was not the first time that a blanket ban had been proposed. In 1819, in one of the rare ‘rules’ set by the vestry committee, it was ordered that ‘all such poor not satisfied with their allowance to go [*sic*] into

³⁴ Idem. August 9th 1775; SA P130/L//2 *Highley Parish Records, Overseers’ Accounts*, Years 1767, 1773, 1776, 1778, 1783.

³⁵ Ibid.; SA P130/L/1/2 *Highley Parish Records, Overseers Accounts*.

³⁶ Snell, *Annals of the Labouring Poor*, p.107.

³⁷ SA PL5/1 July 25th 1836. Note that this pre-dates the general prohibitory order by eight years. (fn. 2).

the workhouse'.³⁸ Yet, despite the proposals, out-relief – even for the able-bodied – continued for a long time, echoing the findings of Digby.³⁹ Whilst highlighting Shropshire as a shining example of good management, the Poor Law Commissioners noted that, of the aged and infirm in receipt of out-door relief in 1838-39, no less than one third nationally were partially able to work. They were firmly of the opinion that if guardians were resolutely to require such paupers to come into the workhouse or be employed by the parish or union, a large proportion would be found capable of supporting themselves. Refusing relief would relieve the country of the fraudulent expense.⁴⁰

Two overriding impressions arise from reading through the guardians' minutes, which cover the period from the formation of the union to 1868 in meticulous detail. The first is that of a self-important group, rather fond of procedure and status, who appear with great efficiency to have dispensed decisions regarding the old and infirm, the sick and those unable to work – sometimes more than forty in an evening. There is also a sense of indignation and disapprobation – indignation if applicants did not turn up in person, even when ill and someone appeared on their behalf, or if applicants for relief were found to have resources of any kind. Thomas Neath was only given relief through the medical officer's intervention. He was found to have a house with half-an-acre, a good eight-day clock and other goods, as well as having two hams of bacon in the house and two daughters kept in idleness.⁴¹ Latent disapproval often came to the fore, particularly when dealing with single women and bastard

³⁸ SA *Vestry Minutes* P71/C/1/2, August 1st 1819.

³⁹ Anne Digby, 'The Rural Poor Law', in *The New Poor Law in the Nineteenth Century*, ed. Derek Fraser (London: Macmillan, 1976). The large majority of poor relief continued to be dispensed out of the workhouse, able-bodied or not. See also K. D. M. Snell, *Parish and Belonging: Community, Identity, and Welfare in England and Wales, 1700-1950* (Cambridge; New York: Cambridge University Press, 2006) Chapter 5 – "A cruel kindness": parish out-door relief and the new poor law'.

⁴⁰ *Sixth Annual Report of the Poor Law Commissioners. With Appendices.*, (245), 1840, p.17 It is ironic to note that, given the focus on minimising the relief of the able-bodied poor, the Commissioners go on to say that were this to be done, the able-bodied poor would be protected from the unfair competition in the labour market of those partially supported by the poor-rate.

⁴¹ SA PL5/2, May 21st 1838.

children; for example, Ann Walker, aged 50, a cripple and unable to work, was offered the workhouse only ‘seeing she has a bastard child’.⁴² Then there was the issue of ‘character’, a question which does not appear in any of the records prior to 1837, but which by 1858 had become an obsession. Susannah Lane died in 1857 without receiving any assistance from the guardians. Her daughter had appeared before them to request regular relief but was refused outright – ‘no out-relief while she keeps two daughters of bad character at home. Order into workhouse offered’.⁴³ A suggestion was made that she died though lack of ‘necessaries’, though the medical officer had supplied her with brandy, sugar, mutton, tea and oatmeal.⁴⁴ The following year, the guardians had made firm proposals to segregate inmates of the workhouse.⁴⁵ The women’s bedroom and day room were to be turned over to women of bad character, and those of good character were to be accommodated with girls in their bedroom and given use of the lying-in ward as a day room. It is noteworthy that no such proposals were made for men, although some were held to be of bad character; for example Joseph Whatmore, who had been ill for a long time, suffering from dropsy, had his relief discontinued. He was deemed to be of very bad character with a house full of goods and capable of being removed to the workhouse.⁴⁶ Non-appearance by a claimant or someone to speak on their behalf invariably led to an application being dismissed. Yet there are also cases of what appear to be genuine kindness and compassion, but equally as many which seem harsh. Henry Tudor, a resident in Wheathill had received £1 1s. 6d. as advance relief, as he was unable to work because of the dislocation of his shoulder. He voluntarily came before the board to return it and the guardians ‘immediately subscribed the amount, and returned it to

⁴² Idem. June 4th 1838 .

⁴³ SA PL5/11 *Guardians’ Minutes, Minute Book L*, October 26th 1857.

⁴⁴ SA PL5/11 November 9th 1857.

⁴⁵ SA PL5/12 *Guardians’ Minutes, Minute Book M*, May 10th 1858.

⁴⁶ SA PL5/2, May 7th 1838.

Tudor, and expressed their admiration of his sterling honesty'.⁴⁷ On the other hand, despite the pleas of the vicar of Rock,⁴⁸ the board unanimously stopped the relief of Edward Knowles, 77, who was unable to work, due to age, illness and being blind and ordered into the workhouse instead. He lived with his daughter who said she was married but declined to produce evidence. She was to be brought before the magistrates and made to support her father if it turned out she was not married.⁴⁹ Perhaps the most extreme was the case of Thomas Jones, 'an idiot', who lived with his mother, receiving 1s. per week. It 'appeared that his mother endeavoured to impose on the board' so his pay was stopped in November 1836 and the workhouse offered.⁵⁰ He was still there thirty-five years later.⁵¹

One of the surprising findings in reading through the minutes is just how unusual it was for able-bodied paupers openly to apply for relief. There were very few who did so, and often they asked for work, not money or relief in kind. It was not out of the ordinary to find the parish guardian himself (they were all male) offer work to the pauper. For example, one of the guardians Mr Hall (possibly the owner of the nearby paper mills), provided John Tafft with partial employment. This was not uncommon. Thomas Lane, 34, approached the board in December 1839, not for relief, but asking for work. The guardian of Stottesdon undertook to find him some.⁵² Similarly, William Price asked for work out of the workhouse. The guardian, Mr Williams of Cleobury, offered to provide it himself.⁵³ Joseph Winwood pushed his luck somewhat. Aged 71, he asked to be found work to supplement his allowance of 2

⁴⁷ *Birmingham Gazette*, Monday January 8th 1849.

⁴⁸ SA PL5/103, February 11th 1838.

⁴⁹ SA PL5/2, February 12th 1838. It is not known what happened, but a year later he was receiving out-relief of 1 gal. flour per week. His application for an increase was refused and the workhouse was offered.

⁵⁰ SA PL5/1, November 14th 1836.

⁵¹ GRO *Cleobury Mortimer Census Returns*, 1841, 1851, 1861, 1871. In January 1839, the vice-chairman of the board drew attention to having met Jones on the road to Bewdley on Christmas Day. Apparently, he had been given leave to be out of the workhouse temporarily. Although originally described as an 'idiot', Jones is listed as a labourer in the census records and does not appear in the lists of lunatics for the period. .

⁵² SA PL5/3 *Guardians' Minutes, Minute Book C*, December 2nd 1839.

⁵³ SA PL5/4, November 16th 1840. Finding work was not a new approach – for example, in 1819 the vestry agreed to find work for Linda Bevan instead of paying her 6d. a week (SA PL5/103, April 11th 1819).

gal. flour and the relieving officer was directed to find him some. Two weeks later, he was earning 7s. but was back before the guardians, pleading necessity being a widower with two children under 11. They offered the workhouse.⁵⁴ Able-bodied paupers, though they were occasionally offered the workhouse, often found their application summarily dismissed. It is also salutary to note just how tenacious the guardians were in ensuring that the parents and children of paupers were held responsible for their maintenance, going to great lengths to take out summonses, and also how willing they were to use the force of the law, especially the Vagrancy Act.⁵⁵

Despite providing a wide variety of types of relief to meet the needs of different individuals, the vestries made strenuous efforts to recover the support costs of illegitimate children from their putative fathers, going so far as to pay John Beard a salary of £10 10s., plus one seventh of all monies so collected.⁵⁶ Significant sums of money were spent on recovery, such as the £30 11s. spent on Robert Steele.⁵⁷ The guardians were equally likely to target individual recipients. Richard Clayton was moved from Dudley to Cleobury and then moved from the workhouse to the lunatic asylum at Worcester. He belonged to Coreley parish and his father had died and left him a legacy. The guardians wanted to know whether it could be appropriated to pay for his care. The Poor Law Board advised that it was perfectly in order for them to apply for it to be paid to them, but they were not prepared to say what should be done if the guardians were refused.⁵⁸ There was also the case of the wily pensioner who was frequently an inmate of the house. When his pension was due, he would leave the house to receive it and not return until he had spent it. The guardians wanted to know of the

⁵⁴ SA PL5/4, November 16th 1840.

⁵⁵ 5 Geo. IV c.83 *An Act for the Punishment of idle and disorderly Persons and Rogues and Vagabonds in that part of Great Britain called England*, s.3, 1824.

⁵⁶ HW *Vestry Minutes* April 19th 1802. Beard had to meet the cost of all his journeys out of the salary.

⁵⁷ SA P130/L/1/2 *Highley Parish Records, Overseers' Accounts* 1796-7. See also Ch.8.

⁵⁸ TNA MH 12/9886 Letters from the guardians to the PLB re Richard Clayton and replies, *Correspondence*, March 30th 1863, April 11th 1863, April 13th 1863 and April 18th 1863.

Poor Law Board whether they were entitled to the whole or any part of it, to which the PLB replied that the law was clear and they could appropriate the pension.⁵⁹ Perhaps one of the more determined examples of attempting to recoup costs was the case of James Bishop, 23, who had applied through his sister for bedclothes. The relieving officer was directed to provide whatever was necessary.⁶⁰ Three months later, James Bishop was dead and the relieving officer was told to waste no time in having the bedstead and bedclothes removed to the workhouse.⁶¹ He later reported that that he had recovered the bedstead and claimed 2s. expenses, but that that the sister had not given up the bedclothes.⁶² Bishop was given a pauper funeral for which the wrong measurements were taken for the coffin and it had to be remade. The relatives still refused to give up the bedclothes and the relieving officer was ordered to take out a summons.⁶³

There is no doubt that the changes in the methods of providing relief resulted in a system which lacked generosity and flexibility for the majority of paupers and though there were instances of genuine kindness, these were not attributable to the system but to the nature of individual guardians. Refusal of relief based on character rather than need cannot be described as humane: the idea of the ‘welfare state in miniature’ no longer applied.

3.4 The workhouse

Flexibility was not an objective of the new poor law. Relief in kind, other than flour, was much restricted and gone were the days of having houses repaired or built for individual paupers and their families. Instead, out-relief was to be deprecated and the workhouse became a feared institution, which allowed the deserving and undeserving poor to be

⁵⁹ TNA MH 12/9887 Exchange of letters, *Correspondence*, May 18th 1869, May 24th 1869; 19 & 20 Vict. c. 15 *An Act for further regulating the Payment of the Out-Pensioners of Greenwich and Chelsea Hospitals* s.8 1856.

⁶⁰ SA PL5/4, September 6th 1841.

⁶¹ Idem. December 27th 1841.

⁶² Idem. January 10th 1842.

⁶³ Idem. February 1st 1842; February 14th 1842.

distinguished from each other by a simple test: ‘anyone who accepted relief in the repellent workhouse must be lacking the moral determination to survive outside it’.⁶⁴ This became known as the principle of ‘less eligibility’:

eligible, *adj.* /'elɪdʒɪb(ə)l/ - **3. a.** Fit or deserving to be chosen or adopted; **b.** That is a matter of choice or preference; **4.** That one would choose or like: desirable, acceptable, suitable.⁶⁵

The principle of ‘less eligibility’ was set out in the Poor Law Commission Report of 1834, although the term itself does not appear there, or in the Poor Law Amendment Act which followed: ⁶⁶ it was coined much later by Beatrice Webb. ⁶⁷ It is often wrongly conflated with the ‘workhouse test’ and in popular parlance has come to mean that conditions in the workhouse had to be worse than the conditions outside,⁶⁸ but this was not the intention. As the Poor Law Report made clear, it did not mean for example, that ‘the food or comforts of the pauper should approach the lowest point at which existence may be maintained’ but that food and other aspects of the workhouse could even be superior that to that of a labourer’s cottage.⁶⁹ Instead, it was to be predicated on discipline and the restriction of ‘luxuries’. It is true to say, though, that some saw that aim as being to establish ‘a discipline so severe and repulsive as to make them [workhouses] a terror to the poor and prevent them from entering’,

⁶⁴ Crowther, *The Workhouse System 1834-1929: The History of an English Social Institution*, p.3.

⁶⁵ *Oxford English Dictionary*, *Oxford English Dictionary* s.v. ‘eligible’.

⁶⁶ *PLR*; 4 & 5 Will. IV c.56.

⁶⁷ Mrs Sidney (Beatrice) Webb, ‘The Policy of the Central Authority from 1834 to 1907’, *Report of the Royal Commission on the Poor Laws and Relief of Distress*, [Cd. 4499], 1909, p.119. The principle was retained in the Beveridge report which stated that the National Assistance scheme ‘must be felt to be something less desirable than insurance benefit’. Beveridge Report, p.141.

⁶⁸ For example: de Pennington, Joanne, ‘Beneath the surface: A Country of Two Nations’, *BBC History website*, http://www.bbc.co.uk/history/british/victorians/bsurface_01.shtml [Accessed May 3rd 2018]; ‘Victorian: A Caring Nation?’, *The National Archives website*, <http://www.nationalarchives.gov.uk/education/victorianbritain/pdf/caring.pdf> [Accessed May 3rd 2018]; Fowler, *Workhouse: The People, the Places, the Life Behind Doors*, p.89; “Harsh Conditions in the Workhouses”, *Burnley Express*, October 15th 2013 The ‘workhouse test’ was introduced in 9 Geo. I c.7 *An Act for amending the Laws relating to the Settlement, Imployment, and Relief of the Poor* (‘Knatchbull’s Act’) 1723, often referred to as the Workhouse Test Act – the test was whether someone agreed to enter the workhouse when applying for relief. ‘Less eligible’ first appears in the *PLR* (p.127) where it states that paupers would be induced ‘to quit the less eligible class of labourers’. The principle of ‘less eligibility’ was stated earlier in the same paragraph: ‘.. that his [the pauper] situation on the whole shall not be made really or apparently so eligible as the situation of the independent labourer of the lowest class.’

⁶⁹ *PLR*, p.129.

where the ‘forbidding look of the new workhouses was intended as a “terror to the able-bodied population”’.⁷⁰ Yet, despite the meaning of ‘eligible’ being ‘that one would choose or like’,⁷¹ it is common to see it in the literature as an innate characteristic of the workhouse itself. It is often equated with ‘harsh’ or similar, as in Crompton’s unusual usage that ‘paupers were definitely treated less eligibly’.⁷² It is also important to note, as the Webbs pointed out, the principle of less eligibility was asserted explicitly only of the able-bodied.⁷³

Charles Dickens wrote scathingly about the workhouse and its effect on the poor, whilst also revealing his own contempt for the inmates. He described a workhouse congregation at divine service:

evil looking young women and beetle browed young men; aged people, mumbling, bleary eyed, spectacled, stupid, deaf, lame, vacantly winking; weird old women, all skeleton within; ugly old crones, both men and women ... but above all it was the dragon – Pauperism – in a very weak and impotent condition: toothless, fangless, drawing his breath heavily enough, and hardly worth chaining up.⁷⁴

Friedrich Engels, the Marxist philosopher, wrote that the authors of the law ‘were so convinced of the infallibility of their theory that they did not for one moment hesitate to cast the poor into the Procrustean bed of their economic notions and treat them with the most revolting cruelty’.⁷⁵ What was the workhouse like really? The question to be considered here is not whether the poor themselves were less likely to be chosen, but whether conditions in the Cleobury Mortimer workhouse were such that the poor were less likely to choose being in the workhouse over the exigencies of life outside.

⁷⁰ Charles Mott, assistant poor law commissioner, to Richard Oastler, labour reformer, quoted in J.T. Ward, *The Factory Movement, 1830-1855* (London: Macmillan, 1962), p.173; TNA MH 32/63 Alfred Power, assistant poor law commissioner, *Report on Stamford Rivers Incorporation*, April 15th 1835.

⁷¹ Current usage of the word is very much that of ‘fit to be chosen or adopted’, in the sense of having characteristics which qualify for something or other. It is interesting to note that of the 128 mentions of ‘eligible’ in the Report, twice as many have the sense of ‘that one would choose or like’.

⁷² Crompton, *Workhouse Children*, p.37.

⁷³ Webb and Webb, *English Poor Law Policy*, p.260.

⁷⁴ Charles Dickens, "A Walk in a Workhouse", *Household Words*, May 25th 1850.

⁷⁵ Friedrich Engels, *The Condition of the Working-Class in England in 1844*, trans. Florence Wischniewsky, digital ed. (Cambridge: Cambridge University Press, 2010 [1892]).

The Cleobury Mortimer workhouse,⁷⁶ then known as Charlton House, to avoid probable stigma,⁷⁷ closed in the late 1920s and had several uses before being demolished around 1950: the grounds became a caravan park. Records suggest the Cleobury workhouse was first built around 1736, sometime after the term

Figure 5 - Drawing of the Cleobury Mortimer Workhouse



‘workhouse’, in the context of the poor, is first encountered in Abingdon, Oxfordshire, in 1631, though not long after Knatchbull’s Act allowed the establishment of workhouses, as they were known.⁷⁸ In 1777, the Cleobury workhouse had capacity for 60 souls,⁷⁹ and served not just Cleobury Mortimer, but – for a fee – also took in the poor of parishes as far away as Stokesay and Barrow, near Telford. Members of the vestry inspected the house regularly, and were pleased with its cleanliness and noted how satisfied the paupers were.⁸⁰ However, Edmund Whitcombe, the surgeon, made the next visit and related how the poor in the workhouse had been extremely filthy for more than twelve months. He drily recommended twice monthly inspections by a surgeon. This suggests differences in the perception of cleanliness between him and the vestry.⁸¹

The vestry became the Cleobury Mortimer Poor Law Union in 1837, serving the seventeen parishes that made up the union. Priorities were quickly determined when the workhouse was first acquired by the union. There were no able-bodied paupers then in

⁷⁶ Drawing by Frances Stackhouse Acton, c1860

⁷⁷ It is not known why the name ‘Charlton’ was adopted .

⁷⁸ workhouse, *n*. OED Online (Oxford University Press, June 2016) [Accessed August 15th 2016]; 9 Geo. I c.7 .

⁷⁹ *Report from the Committee Appointed to Inspect and Consider the Returns Made by the Overseers of the Poor, in Pursuance of Act of Last Session:- Together with Abstracts of the Said Returns. Reported by Thomas Gilbert, Esq. 15th May 1777, 1777.*

⁸⁰ For example, SA P71/C/1/2 *Vestry Minutes*, August 1809, September 1809.

⁸¹ *Idem*. October 1809.

residence, so the guardians proposed that the rooms be changed around and the school room be completely refurbished with the best crown glass in the windows, a new fireplace and perhaps some nice wallpaper, to be used as the guardians' meeting room.⁸² In 1848, the workhouse was extended and re-designed to accommodate a maximum of 150 persons. There were separate wards for the various categories of men and women, separate receiving, infectious and tramps' wards and two 'dead houses' on the ground floor. The ordinary sick rooms were at the top of the house, with a bell to call for help, something not provided in the infectious wards.⁸³ Drinking and cooking water was from a well, used to fill a tank each day and a nearby brook provided soft water for washing. All water was carried by hand – there were no pipes, but when the Inspector, Andrew Doyle, visited the workhouse in November 1861, he noted that there was no water in the well and there had been none for several months since June and that the guardians' attention should be directed to attend to this.⁸⁴ Beds were simple iron frames with a mattress of waste wool (from carpet dressing) or cotton, or perhaps straw. Children often shared beds, but sharing was not allowed for adults. However, there are references to rooms in the Cleobury workhouse for the elderly and it is possible that aged married couples were permitted to be together. There were commodes in the sick wards but generally, privies were the norm. The guardians thought they had an unwholesome smell and introduced water closets during the enlargement. Although the house could accommodate 150, and several times it was described as being full, the largest number listed on any one occasion was eighty-two. Altogether, from various records, about 680 individuals spent some time in the workhouse between 1813 and 1871.

⁸² SA PL5/103, September 7th 1838. The reference to 'nice wallpaper' may be unfair on the guardians. What the building committee said was 'It would also perhaps be as cheap to paper the walls and would add considerably to the appearance of the room' along with their recommendation that the best crown glass window 'squares be considerably larger than at present'.

⁸³ TNA MH 12/9886 Inspector's visit report, *Correspondence*, May 25th 1868.

⁸⁴ TNA MH 12/9886 Inspector's visit report, *Correspondence*, November 12th 1861.

Entering and leaving

No one was forced into the workhouse – admission was voluntary, though the pressure could be intense and for many the painful decision was not made by choice. The guardians considered applications at their weekly meetings but there is no pattern to their decisions. People were given relief, offered the workhouse or refused outright. There are some weeks where everyone was refused and weeks where over fifty applications were made.⁸⁵ People coming in were interviewed to discover their circumstances and first placed in a receiving ward, where a medical officer would check their state of health. They then lost their clothes, which were washed, disinfected and stored, had a bath – in clean water – and were given a uniform. There were no badges in the workhouse, but inmates were given a uniform to wear. Men were given a jacket, trousers, a striped shirt, shoes and cap. Women typically had a gown, petticoat, stockings and slippers, and sometimes a shift or a gingham dress.

People often left the workhouse abruptly. Efforts were made to apprehend them, not because they were to be brought back but because they would be charged with stealing the workhouse clothes. For example, two boys, George Dovey and Emmanuel Winwood, were charged by the master of the workhouse in 1849 with absconding with the workhouse clothing. Considering the age of the boys, 14 and 15, the magistrates did not impose a penalty but left it to the guardians.⁸⁶ Dovey's father was a serial petty criminal and may have been in jail. Winwood's father and brother had been transported for fifteen and ten years for theft of a sheep. John Giles had the misfortune to be apprehended in Walsall. The chief constable wrote to Cleobury Mortimer to say that he appeared to be wearing certain items of apparel

⁸⁵ SA PL5/7 *Guardians' Minutes, Minute Book G*, May 10th 1847.

⁸⁶ "Cleobury Mortimer, Petty Sessions 21st August", *Berrow's Worcester Journal*, August 23rd 1849.

belonging to the workhouse and begged they would favour him with a reply. In the meantime, Giles was detained.⁸⁷

The workhouse population was constantly changing but in 1861 over 20 percent of inmates nationwide had been in the workhouse more than five years, though in Cleobury Mortimer it was only three individuals, two of whom were described as ‘weak minded’.⁸⁸ Most people came and went as their fortunes waned, and many entered several times. There was nothing to stop people from leaving the workhouse, though they were supposed to give a few hours’ notice, but the choice was not easy to make. In 1848, the guardians allowed John Reynolds 4s. to leave the workhouse and return to Staffordshire where he believed he would easily find work. The PLC refused to sanction this and pointed out that if he did not find work and claimed relief in Staffordshire, the guardians would be guilty of a criminal offence.⁸⁹ This can be contrasted with the decision of the Cleobury Mortimer vestry in April 1780 to allow Thomas Davies £3 to leave the workhouse and maintain his family – a fairly significant sum.⁹⁰

There are also sad cases of people coming in as a result of violence. Ann Wadeley died in the workhouse. A note in the burial register entry of February 28th 1832 says ‘Ann Wadeley was brought from Hopton Wafers under circumstances of particular barbarity. She was found in a stable there, left as it is said by her husband & deserted in a dreadfully emaciated state.’ George Moultrie, who wrote this comment, was vicar of Cleobury Mortimer from 1800-1845 and a forthright man, as evidenced by several of his letters. In those forty-

⁸⁷ SA PL5/103, April 6th 1849.

⁸⁸ *Return from each Workhouse in England of every Adult Pauper who has been an inmate for Five Years*, (490), 1861.

⁸⁹ TNA MH 12/9883 Letter from guardians to PLC and reply, *Correspondence*, August 26th 1848, September 4th 1848; 9 & 10 Vict. c. 66 *An Act to amend the Laws relating to the Removal of the Poor* s. 6, 1846.

⁹⁰ SA P71/C/3/1 *Vestry Minutes*, April 16th 1780.

five years, he only made five comments in the burial book as to the cause of death: Moultrie was clearly shocked when Wadeley died.

Workhouse rules were strict, and discipline was enforced. The pre-printed form used by inspectors on their regular visits had as a standard question: ‘Are the proper extracts from the Poor Law Amendment Act, and the Regulations of the Commissioners, hung up in the Workhouse?’

Figure 6 - Workhouse Inspector's report⁹¹

<p>5. / Are there vagrant wards in the workhouse, and are they sufficient? Z Are the arrangements for setting the vagrants to work effective, and is the resolution of the Guardians under 5 & 6 Vict., c. 57, s. 5, duly observed?</p>	<p>1 There are vagrant wards, which are sufficient for ordinary want.</p> <p>2 I am so informed.</p>
<p>6. / Does the visiting committee regularly inspect the workhouse? Z Do any of their answers to the queries in the workhouse regulations suggest the propriety of any interference on the part of the Commissioners?</p>	<p>1 The entries in the visitors' book are, but I am informed that the guardians usually inspect the workhouse every day.</p> <p>2 There is a long report entered in the visitors' book, relative to certain irregularities in the part of the visitors' report. I think that the case has been thoroughly investigated, and judiciously dealt with by the guardians.</p>
<p>7. Has the maximum number of inmates of the workhouse, fixed by the Commissioners, been constantly observed since your last visit?</p>	<p>The maximum has not been approached.</p>
<p>8. Are the proper extracts from the Poor Law Amendment Act, and the Regulations of the Commissioners, hung up in the Workhouse?</p>	<p>Yes</p>

⁹¹ TNA MH 12/9885 Inspector's visit report, Correspondence, March 7th 1847.

Violence was not uncommon, even in the workhouse itself. Edward Martin, 23, was remanded in Worcester in 1881, on suspicion of stealing workhouse clothes.⁹² He must have returned to the workhouse because four years later he was charged with a violent assault on the workhouse barber. He was subject to attacks of acute mania and had been several times charged with violent outrage. He was sent to Broadmoor.⁹³ The first entry in the Application and Report book of the new poor law union is that of Hannah Potter. She and her three illegitimate children were provided with 1s. and two gallons of flour ‘until the workhouse is ready’ (it was being redecorated for the guardians). She was described as a notorious character, given to flying into ‘paroxysms of rage’. Her violent behaviour became worse when it was suggested that her children be apprenticed. She had been in the workhouse before but was very unhappy about being there. She pleaded for monetary relief so that she could leave and go back to Cleobury, but this was refused. She died a few months later in December 1837 from a ruptured blood vessel.⁹⁴

The workhouse was intended for the able-bodied, indigent poor. But it was not those who took up the room. Nationwide, there were twice as many women aged 20-40 in workhouses as men: in Cleobury Mortimer it was more than double that. The workhouse had become a place for pregnant single women and women who had been abandoned by their husbands or whose husbands had gone in search of work, widows unable to provide for their family and servants out of work.⁹⁵ In a perverse way, a system that had been intended as a deterrence had become a shelter for the unfortunate. To determine, though, how far it was a part of a post-1834 ‘welfare state in miniature’, it is necessary to look at what life was like in the workhouse, by exploring the daily routine and diet.

⁹² "City Police Court", *Berrow's Worcester Journal*, July 23rd 1881.

⁹³ "A Dangerous Man", *Birmingham Daily Post*, April 22nd 1885.

⁹⁴ SA PL5/100 *Inquest into the death of Hannah Potter, held at the Talbot Inn, Cleobury Mortimer, 8th December 1837*, .

⁹⁵ Longmate, *The Workhouse: A Social History*, p.156.

Daily routine

Workhouse routine was meant to be tedious. The first workhouse rule was to keep silence when ordered. For many, this applied to mealtimes when talking was not allowed. In the summer, paupers rose at 6 am (an hour later in winter). They had breakfast then worked from seven until twelve, with an hour for dinner, work from one until six followed by supper then bed at eight. Prayers were said before breakfast and after supper every day. The hour before bed could be used for informal recreation and there were usually donations of books and magazines for reading. Everyone had to work except the infirm and insane. The rules stated: ‘those who are capable of doing any work shall be employed by the Master in some labour best suited to their strength and capacity’. This was usually around the workhouse itself – women did laundry, cleaning, cooking, and looking after the sick and the young, whilst men did outside work including gardening. In 1771, the vestry ordered that the ‘officers of the parish do agree with Mr Edward Burlton and Company to establish a silk work in our workhouse.’⁹⁶ There is no further mention of Cleobury silk, but there were a number of orders regarding additional work. In 1844, an order was issued that inmates should perform two hours of oakum picking, two hours of stone breaking or working in the garden not more than three hours and a half. Paupers were not always willing to work. Cleobury Mortimer paupers had been breaking stone for a long time. Five years before the order, the master of the workhouse requested a further 10yd. stone.⁹⁷ Oakum picking was another task. A letter of 1845 records how £5 0s. 14d. of ‘cable junk’ – ‘prime as desired ... fine yarns, very strong and not at all rubbed’ was on its way to Kidderminster.⁹⁸ In 1848, the infirm paupers went

⁹⁶ SA P71/C/3/1 *Vestry Minutes*, February 24th 1771.

⁹⁷ SA PL5/3, November 4th 1839.

⁹⁸ SA PL5/103, January 11th 1845. The letter also notes that ‘owing to the number of steamers who do not have Cables, there is great difficulty getting the article Sound & Good’.

on strike and refused work, even in the garden which was large and mostly given over to growing potatoes, at least one of which was newsworthy.⁹⁹ In later years, as roads were constructed, paupers could be set to work road building.

No spirits were allowed, and tobacco could not be smoked except under medical orders. Although a brew-house was added in 1848, beer did not form part of the regular diet. Written or printed paper of an 'improper tendency' was not allowed to be circulated or read aloud – presumably if it did not move and was read quietly that was acceptable.¹⁰⁰ Cards and games of chance were forbidden. Minor infringements of rules were punished by having food withheld and being put on a diet of bread or potatoes only. Solitary confinement for twenty-four hours was allowed. Boys could be whipped, but not girls, though punishment of children was not allowed until several hours after the deemed infraction, perhaps to avoid an intemperate reaction on the part of the master. Refusing to work or damaging property resulted in hard labour in the county gaol. Workhouses had a strong religious focus and prayers were said at mealtimes. Services were sometimes held though dissenters were exempt, and everyone was free to attend religious services outside according to their persuasion. Each workhouse had a chaplain, and many allowed non-conformist ministers to visit, but catholic priests were rarely allowed until 1859.¹⁰¹

⁹⁹ "Discovery of a Potato", *Worcester Herald*, November 26th 1836, p.2. "Last week a potatoe was dug up in the Workhouse garden, Cleobury Mortimer, which weighed 4lbs. 2oz."

¹⁰⁰ Poor Law Commissioners, *Workhouse General Rule*, London, February 6th 1842. Art.26 There is no elaboration of what is meant by 'improper tendency' – it may have referred to broadsheets, broadsides, catchpennies, handbills, pamphlets etc. The rule was extended in 1847 to include any paper likely to produce insubordination (Poor Law Commissioners, 'General Consolidated Order', July 26th 1847 Art.119).

¹⁰¹ Joan Olwen Maynard, 'The Campaign for Catholic Workhouse Children, 1834-68', *British Catholic History* 32, no. 4 (2015). The Catholic community saw proselytization of Catholic children in the workhouse as a very serious grievance. It was only after the issue of Poor Law Board, *Religious Instruction Order (a)*, London, August 23rd 1859, that religious instruction for catholic children was made obligatory on the masters of workhouses. But see ch.2 fn.50.

Workhouse food

Medical opinion of the time viewed an appropriate supply of food as essential, underlined in the first report of the Registrar-General, which stated that daily animal or vegetable matter containing not less than nine ounces of carbon were required for those who worked.¹⁰² The diet was monotonous. The guardians were required to choose from one of six predetermined dietaries but could change them on recommendations from the medical officer and with the sanction of the Poor Law Board. *Table 7* shows the variation of dietary number two, which was used in Cleobury,¹⁰³ to which a small change was made in 1847. The master of the workhouse reported that it had met with grateful approval from the inmates.

Table 7 - Extract from the typeset order of the PLC, authorising the new dietary, September 22nd 1847¹⁰⁴

		BREAKFAST.		DINNER.						SUPPER.		
		Bread .	Porridge. .	Meat Pudding .	Suet Pudding. .	.	Bread .	Cheese .	Pea Soup. .	Bread .	Cheese .	Butter .
		oz.	pints.	oz.	oz.	Vegetables at discretion.	oz.	oz.	pints	oz.	oz.	oz.
Sunday	Men	6	1	16	-		-	-	-	6	1	-
	Women	6	1	10	-		-	-	-	5	-	½
Monday	Men	6	1	-	-		7	1	-	6	1	-
	Women	6	1	-	-		7	1	-	5	-	½
Tuesday	Men	6	1	-	16		-	-	-	6	1	-
	Women	6	1	-	10		-	-	-	5	-	½
Wednesday	Men	6	1	-	-		7	-	1	6	1	-
	Women	6	1	-	-		6	-	1	5	-	½
Thursday	Men	6	1	-	-		7	1	-	6	1	-
	Women	6	1	-	-		7	1	-	5	-	½
Friday	Men	6	1	-	16		-	-	-	6	1	-
	Women	6	1	-	10		-	-	-	5	-	½
Saturday	Men	6	1	-	-		7	1	-	6	1	-
	Women	6	1	-	-		7	1	-	5	-	½

The able-bodied paupers were apparently unanimously desirous of making permanent the change from cheese and butter to gruel, and the women and children gave a big endorsement

¹⁰² *First Annual Report of the Registrar-General of Births, Deaths, and Marriages, in England* [187], 1839, p.75.

¹⁰³ SA PL5/1, September 5th 1836.

¹⁰⁴ TNA MH 12/9883 Extract from the typeset order of the PLC, authorising the new dietary, *Correspondence*, September 22nd 1847 (The image quality of the original is poor).

to pea soup instead of cheese and butter on Wednesdays.¹⁰⁵ Bread and porridge were provided every day for breakfast and bread and cheese for supper, with some broth. Dinner, given at lunchtime, was meat pudding once, suet pudding twice, bread and cheese three times and bread and pea soup once. The aged and infirm were given tea, milk and sugar with an additional meat pudding on Thursdays. The quality of the food was not good, as the ingredients were often adulterated - the low quality of flour has already been mentioned. Nutritionally, however, it was not as limited as it seems – apart from the absence of vitamin C. A recent study, inspired by *Oliver Twist*'s plea for more, compares the diet for a nine-year old boy with today's recommendations.¹⁰⁶

When the guardians proposed in 1867 to change the Thursday dinner, the Poor Law Board wrote back: '... the amount of vegetables to be given to the able-bodied and aged and infirm with their meat on Thursdays is not stated ...' The guardians replied that the amount of vegetables was not stated as it was not proposed to weigh them but any decision was to be left to the discretion of the master.¹⁰⁷ The PLB pointed out that it was normal to weigh out portions, particularly at the request of inmates, but a contemporary account suggests it was normal practice – 'Two persons, one to cut the other to weigh, will on the average, have to serve fourteen rations in two minutes. So much to be done and, from necessity, in so short a period of time, requires some skill, and not a little practice, on the part of the Carver and Weigher, to keep within a moderate loss.'¹⁰⁸

George Sims wrote a damning indictment of the workhouse in his 1881 poem, of which there are so many well-known parodies that few would believe there was an original.

¹⁰⁵ TNA MH 12/9883 Master to board of guardians, accompanying request for sanction to PLC, *Correspondence*, July 19th 1847.

¹⁰⁶ L. Smith *et al.*, 'Please, Sir, I Want Some More', *British Medical Journal* 337, no. 7684 (2008) pp.1450-1.

¹⁰⁷ TNA MH 12/9886 Exchange of letters re dietary between guardians and PLB, *Correspondence*, August 1867.

¹⁰⁸ J. Pereira, *Treatise on Food and Diet with Observations on the Dietetical Regimen* (London: Longman, Brown, Green and Longmans, 1843) p.241.

Unlike the poor wife of the narrator, who died for want of bread, there were occasional highlights, which changed the monotonous diet: the paupers of Cleobury Mortimer did well at Christmas. The first verse describes what may have been the scene in Cleobury.

It is Christmas Day in the workhouse,
And the cold, bare walls are bright
With garlands of green and holly,
And the place is a pleasant sight;
For with clean-washed hands and faces,
In a long and hungry line
The paupers sit at the table,
For this is the hour they dine.¹⁰⁹

For many years, the guardians put their hands in their own pockets and paid for a Christmas dinner, with the pudding provided by a merchant from Bewdley.¹¹⁰ Additional food was not only provided at Christmas. When the future Edward VII was to marry in 1863, the guardians sought sanction from the Poor Law Board to provide ‘extra diet’.¹¹¹ Sanction was granted, but only for what seemed ‘reasonable and proper’. Careful examination of newspapers throws up little gems. The Misses Lea, of the vicarage at Rock, in 1891 entertained the inmates to a substantial tea with strawberries and little gifts, followed by games on the adjoining field.¹¹² Flushed with their success, the misses Lea repeated the exercise eighteen months later, but this time entertained the inmates with – or perhaps subjected them to – songs, readings and an exhibition of waxworks.¹¹³

Life was never fair though. The Master and Matron had six times the quantity of food as the inmates. Moreover, an inspection report states that the beef supplied was inferior to that contracted for, and to the inspector’s surprise, he found that Master and Matron – and her

¹⁰⁹ George Robert Sims, *The Dagonet Ballads (Chiefly from the "Referee")* (London: J. P. Fuller, 1881), pp. 8-15.

¹¹⁰ "Cleobury Mortimer", *Hereford Times*, January 4th 1851.

¹¹¹ TNA MH 12/9886 Exchange of letters between guardians and PLB re extra diet, *Correspondence*, February 10th / March 2nd 1863.

¹¹² "Workhouse Treat", *Worcestershire Chronicle*, July 18th 1891.

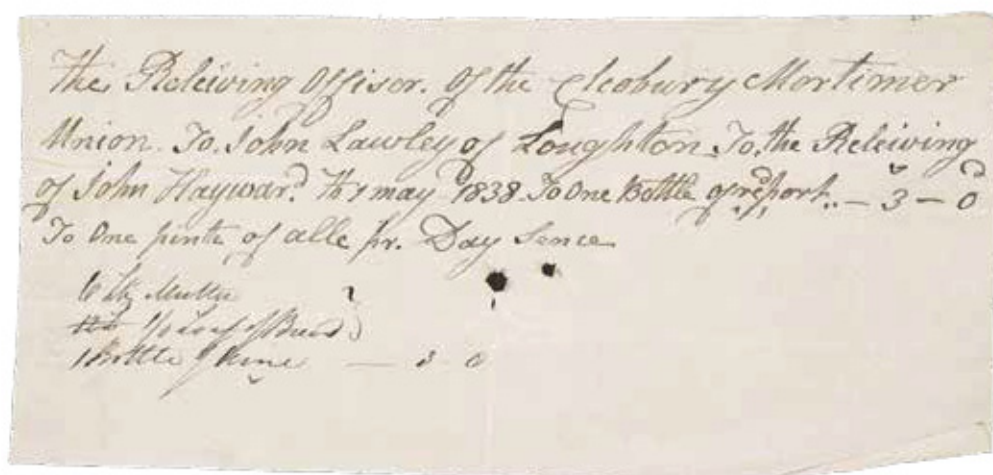
¹¹³ "Workhouse Treat", *Worcestershire Chronicle*, February 4th 1893.

mother – had sat down to dine on veal and ham of good quality. Everyone denied any responsibility, including the butcher, but the records had been altered to hide the illicit supply at the parish expense, while nothing had been done about the beef for the poor.¹¹⁴

Drink

Wine and other drink, at parish or union expense, was commonly given to the sick, but only on the orders of the medical officer as shown in *Figure 5*. When Susannah Lane, mentioned earlier, died, a former medical officer complained to the Poor Law Board that she was allowed ‘to rot away and die without a drop of wine, altho Mr Beale [the medical officer] has the wine in his keeping’.¹¹⁵

Figure 7 – 1838 Medical order to provide drink to a pauper¹¹⁶



It was also common to pay for someone at parish expense to nurse a sick pauper. The image of Sairey Gamp, caricatured by Dickens, is brought to mind when finding that nurses were paid and provided with drink – usually one pint or two per day, presumably beer.¹¹⁷ It was also very common, especially in the later part of the eighteenth century, to find expenses

¹¹⁴ SA PL5/103 ‘Extract from a report of a visit to the Workhouse’ (undated).

¹¹⁵ TNA MH 12/9885 William Weaver Jones to the PLB, *Correspondence*, January 9th 1858.

¹¹⁶ SA PL5/103, May 7th 1838.

¹¹⁷ SA P71/L/1/4 *Overseers’ Accounts (1774-1795)* September 6th 1775; Sairey Gamp was the nurse caricatured by Dickens in *Martin Chuzzlewit* (first published as a serial in 1843-44) as incompetent, garrulous and frequently drunk.

being recorded for ‘ale at meetings’. And, when the guardians of Cleobury Mortimer summoned before them a merchant to require him to ‘provide that port, the quality of which they had tasted at their previous meeting, and not the one delivered’, it is not clear whether the port was for their own consumption or for the benefit of the sick poor.¹¹⁸ Union medical officers often prescribed port for medicinal purposes: in 1863, in nearby Ludlow, the Clerk recorded that the workhouse inmates complained about the quality of the port offered to them. The guardians decided to seek another supplier.¹¹⁹

The guardians paid careful attention to supplies of drink: the inspection of the visiting committee to the workhouse in November 1846 conjures a vivid image. Discrepancies between the provision book and the store showed that eight and a half pints of gin were missing, used – according to the report – by the Master for his private purposes. There was also a deficiency of four pints of brandy: neither the master nor the matron could explain how the deficiency arose: as the matron protested, ‘the paupers had no access to the cupboard where the brandy was stored’,¹²⁰ but the port wine was accounted for. A lot could be written about the use and misuse of alcoholic beverages in caring for the poor.

Workhouses were often badly run, with little thought for the inmates.¹²¹ The gulf between the inmates and the master and matron, several of whom took advantage of their situation, must have been intolerable, though a number of couples were sent packing for being unsuitable to run the workhouse. The inmates’ diet was monotonous, though not necessarily unhealthy, but the worst aspect of life in the workhouse was probably boredom, and for some the rule-based discipline, which veered from petty to strict, would have been hard to bear. It

¹¹⁸ SA PL5/3, May 5th 1840.

¹¹⁹ SA PL 9/2/1/10 *Ludlow Union Minute Book*, November 6th 1863, p. 188.

¹²⁰ TNA MH 12/9882 Report of the visiting committee to the workhouse, *Correspondence*, November 16th 1846.

¹²¹ Such as Andover. See Ch 6. ‘Life Stages – Family Life, Parenthood into old Age’, fn. 75.

was certainly not the intention that the workhouse was there to protect the health and well-being of its inmates, but in a strange way it may have done.

3.5 Relief out of parish after 1834

It was not uncommon for paupers to threaten ‘to come home’ if relief was not granted out of parish.¹²² There are examples of this in the Cleobury Mortimer Union such as that of Henry Cox, living in Bewdley, who wrote how his mother had gained a settlement in Kinlet through service, but was now living in Kidderminster and was destitute.¹²³ He was unable to provide for her ‘without distressing himself’ and asked the board ‘to allow her something instead of going into the House’. He undertook to bring her to the board, despite her age (70) and said that if they did not allow relief, she would apply to Kidderminster and then be removed to Kinlet. She was brought before the guardians on March 21st 1842 and at the following meeting allowed 1s. per week.

It was not uncommon for people to move away from the area but retain their settlement entitlement and then claim relief when required. The guardians would request the distant union to make enquiries and provide relief, which they would reimburse. In the case of Sarah Hanley, a two-year-old bastard child in Stanton Lacy, but born in Coreley, her mother had been sent to gaol for stealing clothes. The Ludlow guardians requested relief and 2s. per week was allowed.¹²⁴ The distant unions had to rely on payment being made and there were delays. The Sedgley Union had to chase payment in 1844 with a threat to decline paying the paupers chargeable to Cleobury.¹²⁵ In the same year, the Church Stretton Union

¹²² Samantha Williams, 'Poor Relief, Welfare and Medical Provision in Bedfordshire: The Social, Economic and Demographic Context, C.1770-1834' (Unpublished PhD thesis, University of Cambridge, 1999), p.5.

¹²³ See ch.1 fn.46.

¹²⁴ SA PL5/5, November 14th 1843.

¹²⁵ SA PL5/103, April 30th 1844.

wrote that they had stopped payment to Jane Mantle whilst awaiting reimbursement.¹²⁶ Sometimes the home union took the initiative and requested the distant union to provide relief, offering repayment.¹²⁷

It is quite clear that paupers valued their independence and formed attachments to particular places, as discussed at length by Snell.¹²⁸ Paupers residing in distant parishes wanted to stay there but had to claim relief from Cleobury, if it was their place of settlement. There are also many cases of paupers who had found themselves in Cleobury, perhaps after a removal, who wanted to return to their preferred home. However, in these cases, they were mostly unsuccessful in obtaining relief. John Morris, whose place of settlement was Mamble but was living at Lindridge, Worcestershire, wished to return to Birmingham. His application was refused, and his relief withdrawn.¹²⁹ Diana Barrett, removed from Worcester to Cleobury in 1816 and in the workhouse twenty-three years later, asked for 5s. to allow her to return to Worcester and find work. She was refused and told that she could leave the workhouse anytime, but without any allowance.¹³⁰

The guardians seemed to be willing to meet the costs of relief for parishioners already out of the parish(es) but rarely agreed to do so if someone wished to move out. At times they were also uncooperative. William Jones, who resided with his wife in Cleobury, had a certificate from a parish in Montgomeryshire.¹³¹ She was unwell, and he could not support her. After receiving 10s 6d., the two were ordered back to Montgomeryshire where the parishioners held a meeting to raise money to send them back to Cleobury. The wife was given money to return and the husband then promised to follow and seek an arrangement with

¹²⁶ Ibid. March 25th 1844.

¹²⁷ Ibid. January 4th 1838 Tenbury Union to Cleobury Mortimer in the case of Robert Jones.

¹²⁸ Snell, *Parish and Belonging*.

¹²⁹ SA PL5/3, January 21st 1840.

¹³⁰ SA P71/L/15/309 *Settlement Examinations*, December 19th 1816; PL5/3 May 4th 1840.

¹³¹ The writing is not entirely clear, but the place name is written as 'Langunnes', though no such place, or with a similar name, appears to exist.

Cleobury, but she fell dangerously ill on arrival. The two parishes wrangled, and Jones complained of the thirty-mile distance. The case ended up before the King's Bench.¹³²

These are just some of the cases where paupers wanted to choose where to live and to be supported. It is not necessarily the function of a welfare state to assist in an unfettered choice to move, but where someone had put down roots, without a right of settlement, it seemed harsh not to provide for them when they needed assistance.

3.6 Vagrants

Execution for vagabondage, established in 1572, was only abolished in 1713.¹³³ But the 1744 Vagrancy Act established harsh penalties, such as whipping and transportation for 'idle and disorderly persons', 'rogues and vagabonds' and 'incorrigible rogues', the terms used to describe different categories of vagrants, and the penalties were only removed when the act was repealed in 1822.¹³⁴ Fear of vagrants, often rough types, begging and thought to carry disease, had been common since Elizabethan times and there may have been identifiable links in the Georgian era between vagrancy and crime.¹³⁵ There was no provision for vagrants in the 1834 Act and guardians often left the problem to the constables, but in 1837 a new regulation required unions to provide a night's shelter and food, in return for performing a task of work. Whatever the intention, this was not a benevolent move, as Herbert Mills made clear in a scathing description of the unsuitability of stone breaking and oakum picking, both

¹³² SA P71/L/15/412 *Settlement Examinations*. Unfortunately, the document is not dated, so it has not been possible to trace the outcome.

¹³³ 14 Eliz. I c.5 *An act for the punishment of vagabonds and for the relief of the poor and impotent*, 1572; 12 Anne Stat.2 c. 23 *An Act for reducing the laws relating to rogues, vagabonds, sturdy beggars and vagrants, into one act of parliament; and for the more effective punishing such rogues, vagabonds, sturdy beggars and vagrants, and sending them whether they ought to be sent*, 1713.

¹³⁴ 17 Geo. II c.5 *An Act to amend and make more effectual the Laws relating to Rogues, Vagabonds and other idle and disorderly Persons, and to Houses of Correction*, 1744; 3 Geo. IV c XL *An Act for consolidating in to one Act and amending the Laws relating to idle and disorderly Persons, Rogues and Vagabonds, incorrigible rogues and other Vagrants in England*, 1822.

¹³⁵ Roger Wells, 'Social Protest, Class, Conflict and Consciousness, in the English Countryside, 1700-1880', in *Class, Conflict and Protest in the English Countryside, 1700-1880*, ed. Mick Reed and Roger Wells (Abingdon: Frank Cass and Co, 1990), pp.174-9.

requiring a fair amount of skill, and the demoralising impact on the dignity of the jobless labourer.¹³⁶ The tramps were usually housed in the infectious ward of the workhouse, but casual wards came to be provided later. On entry, vagrants were searched and their belongings removed, they had to strip and bathe in water used for several and were given a nightshirt and blanket while their clothes were fumigated and dried – publicising the fact that a night had been spent in the workhouse as it left clothes creased, the wrong appearance for anyone seeking employment.¹³⁷ The casual ward was usually locked after a simple supper of bread and gruel. In 1866, the guardians tried to limit their exposure to tramps by denying them access to the workhouse after 9.30 in the evening. However, the Poor Law Board stated that this was not legal – anyone in sudden or urgent necessity had to be admitted if there was space. The reason for the request was that tramps were often given admission tickets around lunchtime but then went into town, wandering about ‘not unfrequently [*sic*] in a state of drunkenness’ and then rolled up at midnight demanding admittance. The PLB advised they could obviate the problem by requiring tramps to come into the workhouse within ‘a reasonable time after the ticket was issued’.¹³⁸

There was a long list of persons defined in the 1744 Act as vagrants. These included husbands abandoning their wives, or either parent abandoning their children, persons returning to a parish after being lawfully removed, idlers and persons refusing to work, palm readers and their ilk, persons pretending to be soldiers or gypsies, anyone lodging in an alehouse and not giving a good account of themselves, as well as beggars going from door to door. To help encourage identification and apprehension, the act provided for a reward from

¹³⁶ Revd. Herbert Mills, *Poverty and the State, or Work for the Unemployed* (London: Kegan Paul, Trench & Co, 1886), pp.54-5.

¹³⁷ Rachel Vorse, 'Vagrancy and the New Poor Law in Late-Victorian and Edwardian England', *The English Historical Review* 92, no. 362 (1977), p.70.

¹³⁸ TNA MH 12/9883 Letter to PLB re tramps and vagrants with replies, *Correspondence*, August 9th 1866 *et seq.*

the justices of the peace to anyone who gave up a vagrant to the magistrates.¹³⁹ The overseers paid the reward and, if they refused, a magistrate could order the overseer's personal goods to be sold and they could not then claim it back from the parish. The law was strict but it was interpreted loosely. Anyone found to be a vagrant, regardless of whether they had claimed relief, could be removed by magistrates to their parish of settlement using the pass system, but a reading of the act suggests that it was first necessary for the vagrant to have been put in the house of correction or whipped.

Mary Bache (or Backe) was apprehended in St Lawrence Jewry in the City of London in 1806. She was convicted and confined in the Bridewell Hospital for seven days and then ordered to be removed to Cleobury Mortimer. Her examination simply states that she believed herself to have been born in Cleobury Mortimer, though there is no trace in the parish registers.¹⁴⁰ Perhaps Mary Bache was unlucky. None of the other individuals removed as vagrants using a pass seem to have suffered other than being removed. Vagrants moved using the pass system could be sent quite long distances before reaching their destination. Generally, they would be conveyed by horse and cart accompanied by a constable, or a pass master, to the first parish in the next county where a magistrate would sign the pass, allowing the pauper to pass and ordering them to be conveyed to the next place.

As well as being used to move vagrants from one parish to another, passes were used to allow a pauper to move from one place to another voluntarily. They were issued by a magistrate with a request to provide relief if necessary. Mary Powell was issued with a pass to allow her to travel from Dudley, Worcestershire, to Cleobury Mortimer with her child 'and also William Powell' (who may have been her husband, or perhaps another child). She was allowed four days to travel in July 1816 and was relieved in Stourbridge, Bewdley and Rock

¹³⁹ 17 Geo.II c.5.

¹⁴⁰ SA P71/L/15/266 *Settlement Examinations*.

on the way.¹⁴¹ It is not certain whether these passes were legal or not. Burn railed against the practice of ‘pestering the kingdom with itinerant passes’.¹⁴² He concluded that passes could only be issued in the case of people first taken up as rogues and vagabonds and makes the wry comment: ‘Kings have been sometimes censured for setting themselves up above the law: but justices of the peace have been suffered to pass unnoticed’.¹⁴³

Despite the harshness of the laws, the problem of vagrancy did not go away. Indeed, as Rachel Vorspan points out, despite a decrease in pauperism towards the late nineteenth century, vagrancy figures had risen more than tenfold.¹⁴⁴ It is likely that prior to 1837 many vagrants fared badly, though in the Cleobury Mortimer area, the pass system seems evidently to have been in operation, judging by the number of entries in the overseers’ accounts for each parish from 1770-1820 and later. Under the new poor law, vagrants had the option of lodging, but the guardians were not wholly supportive of assistance and the regime was disagreeable as it stripped vagrants of any dignity along with their clothing.

Adam Smith had written ‘there is scarce a poor man in England, of forty years of age, who has not, in some part of his life, felt himself most cruelly oppressed by this ill-contrived law of settlements’.¹⁴⁵ Thomas Malthus concurred: ‘the whole business of settlements, even in its present amended form, is utterly contradictory to all ideas of freedom’.¹⁴⁶ These sentiments, however, did not apply to vagrants who gave rise to the ‘terror of the tramp’. Idleness was seen as wrong, vagrants were blamed for crimes, and there was real concern about the cost of supporting temporary strangers. Throughout the sixteenth century, laws were passed to deal with vagrancy – with execution as a possible

¹⁴¹ SA P71/L/15/299 *Settlement Examinations*.

¹⁴² Richard Burn, *The History of the Poor Laws: With Observations* (London: A. Millar, 1764), p.117.

¹⁴³ *Idem*, p.117.

¹⁴⁴ Vorspan, ‘Vagrancy and the New Poor Law’, p.59.

¹⁴⁵ Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, 2 vols., vol. I (London: W. Strahan and T. Cadell, 1776), p.176.

¹⁴⁶ T.R. Malthus, *An Essay on the Principle of Population; or, a View of Its Past and Present Effects on Human Happiness;* (London: Joseph Johnson, 1803), p.412.

remedy,¹⁴⁷ and pamphlets vilifying vagrants were common, including one published in Birmingham in 1842,¹⁴⁸ though not all vagrants were fearsome beggars – some were just searching for work, such as Esther Powell.¹⁴⁹ Even though sanctions of whipping, imprisonment or execution were enforced pre-1834, vagrants were often allowed to move around the country using the pass system. Under the new poor law, vagrants were treated much better – at least according to the rules. They were given a bath, clean clothes and food in return for a few hours work.

3.7 Lunatics¹⁵⁰

Lunatics were often looked after in the workhouse. It was cheaper than sending them to the asylum and there are many cases of paupers being kept in the workhouse, provided they were not a danger to themselves or others. In 1839, the relieving officer visited Alan Wall, resident at the asylum in Shrewsbury, and deemed him fit to be returned. However, the visiting magistrate and physician declared him insane and dangerous, having attacked inmates and

¹⁴⁷ 22 Hen. 8 c.12 (1531); 1 Edw. 6 c.3 (1547); 3 & 4 Edw. 6 c.16 (1550); 14 Eliz. 1 c.5 (1572); 18 Eliz. 1 c.3 (1576); 35 Eliz. 1 c.7 (1593); 39 Eliz.1 c.4 (1598).

¹⁴⁸ Thomas Harman, *A Caueat or Warening for Commen Cursetors Vulgarely Called Vagabones, Set Forth by Thomas Harman, Esquiere, for the Vtilite and Proffyt of His Naturall Cuntrey. Augmented and Inlarged by the Fyrst Author Here Of. Anno Domini. M.D.Lxvii* (London: William Gryffith, 1567) (London: William Gryffith, 1567); *An Exposure of the Various Impositions Daily Practised by Vagrants of Every Description*, (Birmingham, 1842).

¹⁴⁹ Esther Powell left her children at the workhouse to go off in search of work. See Ch 6. 'Life Stages – Family Life, Parenthood into old Age', fns. 48 and 49.

¹⁵⁰ Until 1845, 'lunatic' only ever had an imprecise common law meaning. As far back as 1324 (17 Edw. II st. 1 c.9c *De prerogativa regis*) a natural fool (ie from birth) was to be under the protection of the King, who would hold their lands and take the profits, then provide for them. Lands would be returned to their heirs on the fool's death. By inference, a lunatic came to be someone who had, at some time, some reason. 17 Geo. II c.5 referred to lunatics: '... persons who by Lunacy or otherwise are furiously mad or are so far disordered in their senses that they may be dangerous to be permitted to go abroad'. The Poor Law Amendment Act of 1834 (4 & 5 Will. IV c.76) carried forward this concept of dangerous lunatics: '... nothing in this Act contained shall authorise the detention in any workhouse of any dangerous lunatic, insane person, or idiot for any longer period than fourteen days'. This came to apply to any lunatics, insane people and idiots who were considered dangerous – they were sent to asylums. Poor law returns show an obsession with noting whether the individuals listed were a danger to themselves, a danger to others or not dangerous. 8 & 9 Vict. c.100 *An Act for the care and treatment of Lunatics*, 1845, at s.cxiv said "'Lunatic' shall mean every Insane Person, and every Person being an Idiot or Lunatic or of unsound Mind' – not a particularly useful definition.

assistants and that it would not be appropriate to remove him.¹⁵¹ Tryphœna Hyde was luckier. In 1840, at the age of 25, ‘incapable of maintaining herself and of weak intellect’, she had applied for relief as her father was out of work. Sometime later she was placed in the asylum and only at the age of 40 was it confirmed she could be safely removed and brought to the workhouse. Her mother-in-law and sister said they would take her and carefully mind her for a weekly allowance of 5s., which was allowed.¹⁵² In 1863 it was reported by the Commissioners in Lunacy after their visit that there was one man and five women of unsound mind in the workhouse, but they were harmless and under proper care, though they noted that a table in the male day room would be a comfort.¹⁵³ Five years later, the Commissioners objected to the keeping of a woman, Mary Potter in the house. She was upwards of 80 years old, given to violence, restless and noisy.¹⁵⁴ They ordered that either a nurse be hired to look after her in a quiet part of the house away from everyone else, or she be sent to Bicton to the lunatic asylum if she were able to bear the journey. She died, however, twelve days later, so the problem was solved, though there is no evidence of any decision being taken in the meantime.

It is not until 1881 that the commissioner expressed any more opinions. He described three of the four people listed as one boy idiot, who is not fit for any education, and two female imbeciles. The fourth, Mary Ann Smith, did not appear to be of unsound mind although she was, as the commissioner was told, immoral. He did not think that she should be detained as an imbecile against her will, though he did think that with two illegitimate children in the house, she should be detained anyway. Whilst they could be rigid and

¹⁵¹ SA PL5/3, December 16th 1839.

¹⁵² SA PL5/3, June 1st 1840; PL5/11 November 24th 1856. It is not clear when Tryphœna went into the asylum. In 1842, she applied for a pair of shoes. She had to wait two weeks for a decision but was provided them. (SA PL5/4, March 21st 1842). In the 1851 census she is shown as a ‘lunatic’ living at Clee Hill.

¹⁵³ TNA MH 12/9886 Visit of Commissioners in Lunacy, *Correspondence*, June 14th 1863.

¹⁵⁴ Possibly some form of dementia. The term *senile dementia* had first been introduced in 1835: James Cowles Prichard, *A Treatise on Insanity, and Other Disorders Affecting the Mind* (London: Sherwood, Gilbert and Piper, 1835), p.92.

dogmatic, the Poor Law Board could also be solicitous. The guardians wanted to send a 25-year-old woman to a deaf and dumb school, but her mother objected. They wanted to know if they could override her objections. The board pointed out that whilst the guardians did not have any legal requirement to obtain her permission, they wanted to know if the woman had capacity to make any informed decision herself.¹⁵⁵

The guardians' minutes record a number of instances where attempts were made to show that 'lunatics' were capable of being looked after in the workhouse (or occasionally at home) instead of an asylum – with consequent savings. Whilst the minutes suggest that reasonable attempts were made to look after the mentally ill, the driver behind decisions on how to look after lunatics was very much cost and not welfare.

3.8 Medical relief

Although there was no specific mention of medical relief in the Elizabethan poor law, by the eighteenth century it was expected not just to maintain the poor when they were ill, but also to provide medical attendance and nursing.¹⁵⁶ Based on his studies of Essex, Berkshire and Oxfordshire, E. G. Thomas found that under the old poor law, parish authorities were sympathetic and generous in their approach to medical care.¹⁵⁷ In the Cleobury Mortimer union parishes, there is no hard evidence to suggest this was also the case generally – indeed there are significant differences between the parishes which raise unanswered questions.

In Hopton Wafers in 1796, John White of Cleobury Mortimer was appointed as 'Surgeon and Apothecary and also as a man midwife' to attend the poor of the parish for a year, for a fee of four pounds.¹⁵⁸ He was replaced the following year by Thomas Wall of

¹⁵⁵ TNA MH 12/9887 Exchange of letters, Correspondence, November 29th 1869, December 7th 1869; 30 and 31 Vict. c. 106 *The Poor Law Amendment Act, 1867* s. 21, 1867.

¹⁵⁶ Marshall, *The English Poor in the Eighteenth Century: A Study in Social and Administrative History*, p.2.

¹⁵⁷ E.G. Thomas, 'The Old Poor Law and Medicine', *Medical History* 24, no. 1 (1980), p.3.

¹⁵⁸HW *Vestry Minutes 1793-1814* May 15th 1796.

Tenbury, who was given a three-year contract at £5 per annum. There were no medical men living in Hopton Wafers, but there were likely to be more than one in Cleobury Mortimer. Appointing someone resident in Tenbury was a strange move. It was over nine miles from Hopton Wafers and lay at the very foot of the Clee Hill slopes – an arduous journey on horseback. The arrangement was not renewed and in 1801 services were provided on an *ad hoc* basis by Mr Kempson, who also provided services in Coreley,¹⁵⁹ the parish to the east of Hopton Wafers. This changed to an annual salary of £5 and continued until 1814, when he was replaced by Thomas Pope. Pope had been apprenticed to Kempson at the age of fourteen and lived in Cleobury Mortimer.¹⁶⁰ He provided services for an annual fee of seven guineas,¹⁶¹ but was replaced after eight years in 1822 by a Mr Jones, initially at a fixed rate of six guineas, but who was paid varying amounts up to £10 12s. between 1824 and 1836 when the system changed.

Aston Botterell was well served by doctors. In 1806 three bills were paid for Drs Wall, Pope and Noythan.¹⁶² From 1790 to 1800 there were multiple bills for Dr Bray and Dr Kempson.¹⁶³ There are also numerous references to women being paid for nursing paupers, along with mentions of midwives attending women, and a reference to a Jane Dukes being paid for doctoring Hannah Batch who was a long-term pauper in receipt of weekly relief.¹⁶⁴ It was not uncommon to find ‘unqualified’ nurses or bonesetters dealing with ordinary

¹⁵⁹ SA P82/L/1/1 *Coreley Parish Records, Overseers' Accounts*, April 1799 – April 1800.

¹⁶⁰ SA PL5/103 Thomas Pope to the chairman of the guardians, September 7th 1838. In his letter, Pope recounts his apprenticeship and training.

¹⁶¹ HW *Overseers Accounts 1816-1837*. A guinea was £1 1s. and being larger than a pound was a common unit used in professional fees. Payments to Thomas Pope are found from 1814 – 1821.

¹⁶² SA P17/L/1/1 *Aston Botterell Parish Records, Overseers' Accounts*.

¹⁶³ There may have been two Drs Bray – the overseers' accounts mention ‘old’ Mr Bray and Dr Bray on the same page. Thomas Pope was apprenticed to Dr Kempson (SA PL5/103 Thomas Pope to the chairman of the guardians, September 7th 1838).

¹⁶⁴ SA P17/L/1/1 *Aston Botterell Parish Records, Overseers' Accounts*, April 22nd to October 21st 1787.

complaints.¹⁶⁵ They may not have been much less qualified than doctors: at the turn of the nineteenth century, an apprenticeship was sufficient to practice medicine and apprenticeship to a surgeon also allowed practice as an apothecary (except in London).¹⁶⁶

Similarly, in Highley doctors were paid for individual cases and there are frequent references to nursing, sometimes for quite long periods of five weeks or more. The system changed in 1802 when an agreement was reached with Mr Dallow, who had been paid for the maintenance of the poor in the previous year, to maintain the poor including all expenses of coals and doctors' bills, at £3. per week.¹⁶⁷ Wheathill was also served by Dr Bray, but there are only occasional references to payments in the accounts, sometimes a few years apart, with the earliest in 1790.¹⁶⁸ The Neen Savage account entries generally only give a name but, whilst there are regular references to payment to someone being ill, there are only scarce payments to doctors – the first to Mr Whitcombe in 1777 – but as in Wheathill, specific references can be years apart.¹⁶⁹ It would be surprising if there were no people who needed medical attention in those periods for which there are gaps in payments, but whether that was the case, whether people had to pay themselves or whether some other system was in operation cannot be confirmed from the records. Given the brevity of each entry, it is possible that payments recorded by the overseers to a named person were in fact for nursing. The poor in Stottesdon were attended to by William Weaver Jones from 1822.¹⁷⁰ No other medical men by the name of Jones have been found in the area, so he may have been the same Jones as served Hopton Wafers. If so, he was a busy man as a note in the Cleobury Mortimer

¹⁶⁵ This was also the case in other rural areas: E.G. Thomas, 'The Treatment of Poverty in Berkshire, Essex and Oxfordshire 1723-1834' (Unpublished PhD thesis, University of London, 1970), p.59.

¹⁶⁶ J.J. Rivlin, 'Getting a Medical Qualification in England in the Nineteenth-Century' in *Joint meeting: Liverpool Medical History Society; Liverpool Society for the History of Science and Technology*, Liverpool, 1996).

¹⁶⁷ SA P130/L/1/2 *Highley Parish Records, Overseers' Accounts*.

¹⁶⁸ SA P302/L/1/1, P302/L/1/2 *Wheathill and Loughton Parish Records, Overseers' Accounts*.

¹⁶⁹ SA P203/L/1/1-5 *Neen Savage Parish Records, Overseers' Account*.

¹⁷⁰ TNA MH 12/9885 William Weaver Jones to the Poor Law Board, *Correspondence*, May 5th 1859.

vestry minutes records that he was to continue as medical officer from March 1835, at a salary of £18 per annum.¹⁷¹

It might have been expected to see retention payments for doctors in Cleobury Mortimer, being a larger settlement, but this does not appear to be the case: payments were sporadic and often refer to fractures or difficult pregnancies. However, most pages of the overseers' accounts show entries for nursing, such as payments made to Mary Norgrove (see *Table 10*) and there were also payments to people who only appear once and who may not have been doctors, such as that ordered to be paid to a Mr Cheese for curing the fracture of a girl's leg.¹⁷² Nursing was a frequent response to illness. In 1819, the vestry ordered that Susan Vaughan's mother, who was very ill, 'be allowed what is proper plus a woman at 5s. to attend her'.¹⁷³

Although there were infirmaries in Worcester and Shrewsbury, there are few references, but they appear as early as 1772 when Anne Lowe was brought out of Worcester, being incurable, and in 1774 when John Jones was taken by the overseer to Salop Infirmary and William Shore was allowed 5s. to collect his son from Worcester Infirmary.¹⁷⁴ Use was also made of the salt baths at nearby Droitwich Spa.¹⁷⁵ Thomas Medlicote, of Bayton, inmate of the workhouse was allowed 20s. to go to the salt baths at Droitwich: 'he suffering from rheumatism'. A letter was read next board day from Medlicote stating that he had received much benefit from the baths and requesting to be able to stay longer.¹⁷⁶ He was to be allowed 10s if on enquiry his statement proved to be correct. A subsequent letter from Mr Gabb of the

¹⁷¹ SA P71/C/3/2 *Vestry Minute Books (1799-1921)*, March 25th 1835.

¹⁷² SA P71/C/1/1 *Vestry Minutes* February 24th 1799.

¹⁷³ Idem. September 15th 1819.

¹⁷⁴ Idem. October 8th 1772; *Neen Savage Parish Records, Overseers' Accounts* P203/L/1/1 April 1774; *Vestry Minutes* P71/C/1/1 April 24th 1774.

¹⁷⁵ The salt baths at Droitwich Spa date from 1831 when it was reputedly found that immersion in brine was effective in treating early stages of cholera. William Henry Bainbrigge, *The Droitwich Salt Springs: Their Medicinal Action and Curative Properties* (Worcester: Deighton & Son, 1873), p.3.

¹⁷⁶ SA PL5/11, January 5th 1857.

Droitwich Salt Baths stated that Medlicote had been admitted to the Worcester Infirmary with a fever and after going through a course of medicine for a few weeks could have the gratuitous use of the baths if not recovered.¹⁷⁷

An 1822 trade journal shows that there were three surgeons resident in Cleobury Mortimer: Pope, Weaver Jones and Whitcombe.¹⁷⁸ The population of Cleobury in 1821 was just 1,602: competition between the three must have made life difficult, though the absence of any source to the contrary suggests that harmony reigned until 1838. In 1836, when the union was formed, it was divided into four medical districts. Tenders were sought and district four, Stottesdon, was given to the only applicant, Weaver Jones. The other three districts were contested, but all were awarded to Whitcombe (the second such); in one he had competed against his father. The two successful candidates were remunerated a total of £92 per annum, with medicines being provided by the union. Whitcombe's was an onerous post: the area covered a distance of sixteen miles north to south, some 32,000 acres – and the remuneration was low – typically less than £10.

Pope, who had failed to be appointed, made the valid point that either the poor, or the medical officer, or both, were ill-served by the need to cover such a large area.¹⁷⁹ Despite Pope's concerns, by 1847 there was only one medical officer. At some time earlier, Weaver Jones had resigned or been dismissed, and Whitcombe himself then resigned.¹⁸⁰ The guardians had great difficulty in finding a replacement. Permission was sought from the Poor Law Board to form the union into one medical district, at a salary of £150, with medicine being provided by the guardians. The PLB refused to sanction this unless the medical officer was precluded from private practice (which happened quite rarely: in 1857, only twenty-seven

¹⁷⁷ Idem. February 2nd 1857.

¹⁷⁸ "Pigot's Directory of Shropshire", (Sheffield: Pigot & Co, 1822), p.362.

¹⁷⁹ SA PL5/103 Thomas Pope to the chairman of the guardians, September 7th 1838.

¹⁸⁰ TNA MH 12/9883 Edmund Banks Whitcombe to the guardians (copy), *Correspondence*, September 13th 1847; the resignation resulted from one of many accusations of medical negligence.

out of 3018 medical men were so precluded).¹⁸¹ Eventually, Bernard Beale was appointed at a salary of £180, but after a year he refused to continue and his salary had to be raised to £250. Four years later, the medical officer was also allowed a dispenser of medicine at £40 in addition, but his contract did not allow private practice. This arrangement of one medical officer for the union continued for fifteen years, but was fraught with problems,¹⁸² and by 1862, the year before Adam Trow, clerk to the guardians, wrote to the Poor Law Board seeking sanction to change the system, the total costs had risen to the enormous sum of £356 1s. 8d. plus the costs of vaccinations and the rental of the surgery.¹⁸³ Trow pointed out in his letter that it would have been better for the union and its poor had the medical officer been allowed private practice in conjunction with a partner, or at least an assistant. Nevertheless, several years earlier, Doyle, Poor Law Inspector, wrote that the system in the Cleobury Mortimer Union was the most efficient in his district.¹⁸⁴ Just before that, the guardians had passed a resolution that any change in the system was extremely unlikely to benefit the poor or the ratepayers.¹⁸⁵

Regulations stated that no medical district should exceed 15,000 acres in area – that of the Cleobury Mortimer union was 54,640 acres.¹⁸⁶ The regulation was often ignored: Ruth Hodgkinson provides a number of examples of where the rules were flouted, certainly in the

¹⁸¹ *Poor Law Board, Return to an Address of the Honourable the House of Commons, Dated 18 August 1857;--for, a Return"of the Several Particulars Specified in the Following Tabular Form, as Respects the Unions, Parishes under Boards of Guardians, Incorporations and Parishes under Local Acts and Gilbert's Act, Together with Parishes under the Act of 43 Eliz. c. 2, in England and Wales, (230), 1857-8, p.x.*

¹⁸² Outside the scope of this thesis, the union correspondence files in the National Archives detail frequent accusations of negligence by one medical man against another and attempts to have medical officers removed. However, see Chapter 2.3.

¹⁸³ TNA MH 12/9886 Adam Trow, clerk to the union, to the Poor Law Board, *Correspondence*, August 14th 1863.

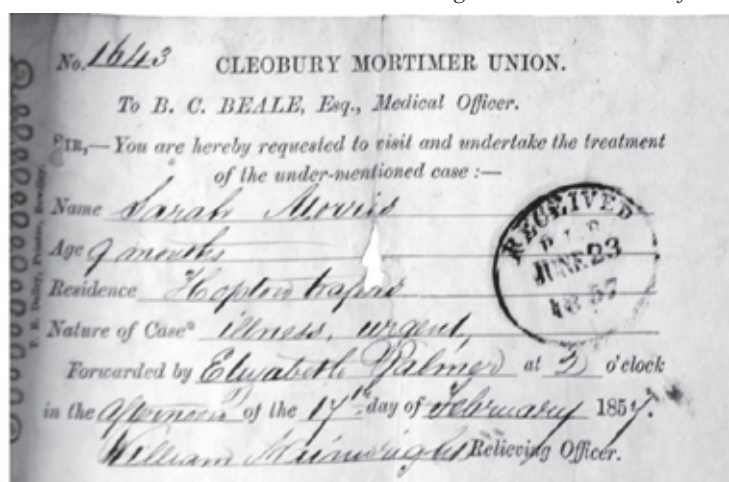
¹⁸⁴ MH 12/9886 TNA Alfred Doyle, minute to PLB, *Correspondence*, May 3rd 1858.

¹⁸⁵ SA PL5/11, January 10th 1858.

¹⁸⁶ Poor Law Commissioners, *General Medical Regulations*, London, March 12th 1842.; *Poor Law Board, Return to an Order of the Honourable the House of Commons, Dated April 1st 1852 [81], 1854, p.75.*

early years of the new system.¹⁸⁷ The system of a single medical officer was by no means unique, though there were no others in the district of sixty-six unions for which Alfred Austin was Assistant Poor Law Commissioner.¹⁸⁸ Kim Price also describes a number of illegally large districts, for example, nearby Bromyard at just over 60,000 acres,¹⁸⁹ but the Cleobury Mortimer arrangement was unusual in being sanctioned by the Poor Law Board, in order to overcome the problem of lack of applicants and continued until 1868.

Figure 8 - Medical order from Relieving Officer, 1857¹⁹⁰



Medical relief was provided by means of an order signed by the relieving officer (as shown in *Figure 6*), or the guardians, or for permanent paupers, an annual ticket.¹⁹¹ Without an order, there was no obligation on the medical officer to attend. Despite this, when Thomas Pope refused to attend a patient without one, the guardians expressed concern to the Poor Law

¹⁸⁷ Ruth Gladys Hodgkinson, *The Origins of the National Health Service: The Medical Services of the Ne Poor Law, 1834-1871* (London: The Wellcome Historical Medical Library, 1967), pp.107-111.

¹⁸⁸ *Report from the Select Committee on Medical Poor Relief; Together with the Minutes of Evidence, Appendix and Index*, (531), 1844, pp. 642, 647; also commented on by Andrew Doyle, Poor Law Inspector as being unique in his district, TNA MH 12/9885 *Correspondence*, March 3rd 1858 (minute on reverse of letter).

¹⁸⁹ Price, *Medical Negligence in Victorian Britain: The Crisis of Care under the English Poor Law, c.1834-1900*, p.170.

¹⁹⁰ TNA MH 12/9884 Medical order attached to letter from Bernard Beale to PLB, *Correspondence*, June 22nd 1857.

¹⁹¹ Poor Law Commissioners, *The General Consolidated Order*, London, July 24th 1847. This replaced the original medical relief regulations introduced in 1842.

Commission, requesting that they be relieved of appointing him again.¹⁹² Failure to obtain an order also left the pauper liable to pay. Abraham Wright was refused assistance to pay a medical bill of £3 10s. when his grandson's leg was fractured.¹⁹³

The union medical officer had no general power to order relief.¹⁹⁴ All he could do was to recommend specific nutrition as an alternative to or in addition to medicine. The relieving officer would then use his discretionary power to order the relief, which had to be sanctioned by the board at their next meeting. It was highly unusual for anyone to gainsay the medical officer, for fear of being held responsible if anything occurred of a serious nature.¹⁹⁵ The normal course was to sanction what had already been provided and then order that the person be under the care of the medical and relieving officers, or that the relieving officer provide whatever the medical officer directed. Sometimes there were enquiries. In March 1840, the guardians, perhaps unsurprisingly, questioned the provision of beer to paupers in the workhouse. Accepting the medical officer's explanation, they allowed four elderly gentlemen and one lady beer as directed, but one unfortunate was to be given linseed tea instead. Perhaps moved by compassion, they also sanctioned port wine for William Brown, 70, described as 'sinking from old age'.¹⁹⁶

The use of 'necessaries', stimulants, is a common theme throughout the old poor law period, though not so much after 1834 in Cleobury Mortimer. In another Shropshire union,

¹⁹² SA PL5/5, January 24th 1844; TNA MH 12/9883 Copy of Guardian's minute, April 1st 1844, forwarded to the Poor Law Commission, *Correspondence*, April 4th 1844.

¹⁹³ SA PL5/3, June 5th 1840.

¹⁹⁴ *The General Consolidated Order*. Although Art.215, No.5 of the General Consolidated Order implied that relieving officers must obey the medical officer, Glen's note to Art.206 made clear that 'A medical officer is not empowered by the Orders of the Poor Law Commissioners, or by his contract with the Board of Guardians, to order food or articles of diet, as meat, milk wine, or porter, for his pauper patients. Any direction which he may give to that effect will only amount to an expression of opinion on his part, that relief in food or other necessaries is required.' For paupers in the workhouse, it was different. The medical officer could order individual diet and under Art.108, the master of the workhouse was required to obey.

¹⁹⁵ *Fifth Report from the Select Committee on Poor Relief (England) with the Minutes of Evidence and Appendix*, (474-II), 1861.

¹⁹⁶ SA PL5/3, March 9th 1840. Surprisingly, the same Art.108 of the General Consolidated Order provided that the guardians 'shall not allow to such paupers any fermented or spirituous liquors on account of the performance of such Work, unless in pursuance of a written recommendation of the medical officer'.

Atcham, the guardians advised the medical officer in 1842 that medicines and stimulants like wine were permissible, but not food.¹⁹⁷ The apparently excessive ordering of food was an issue in Cleobury Mortimer in 1844. Arthur Granger, the relieving officer, wrote directly to the Poor Law Commission to query the powers and duties of the medical officer relative to his own. Expenditure had risen considerably over the previous year, primarily due to the ordering of food. In one week alone, £1 10s 9d. had been expended on tea, sugar, rice, oatmeal and mutton – and ‘more than that during the same period’, with what amounted to a race between the overseers to see who could make himself more popular.¹⁹⁸ The guardians, though, seemed to have sided with the medical officers and wrote to the PLC at the same time to ask whether the relieving officer was justified in disregarding the orders of the medical officer.¹⁹⁹ Unfortunately, the existing files do not record the opinion of the PLC.

Hodgkinson concluded that the amount of extras given was very large in most unions.²⁰⁰ Until 1834, relief in kind to the sick, ordered by the medical officer, was rarely questioned as the medical attendant of the parish was considered the sole judge of the amount of extra diet and it was unusual not to comply with his directions.²⁰¹ After 1834, non-medical people – the guardians and relieving officers – made decisions. The Poor Law Amendment Act allowed the sick to receive additional food as well as medicines.²⁰² Despite the queries in 1844, the guardians’ minutes in Cleobury Mortimer continue to be full of examples of orders being made to the relieving officer that the medical officer’s directions were to be followed. Medical opinion of the time viewed an appropriate supply of food as essential, underlined in the first report of the Registrar-General, which stated that daily animal

¹⁹⁷ Hodgkinson, *The Origins of the National Health Service*, p.40.

¹⁹⁸ TNA MH 12/9882 Arthur Granger to the Poor Law Commissioners, *Correspondence*, August 6th 1844.

¹⁹⁹ Ibid. Guardians to the Poor Law Commission, August 11th 1844.

²⁰⁰ Hodgkinson, *The Origins of the National Health Service*, p.363.

²⁰¹ 'Report of the Poor Law Committee of the Provincial Medical and Surgical Journal', *Provincial Medical & Surgical Journal (The British Medical Journal)* 3 (1840-1842), p.196.

²⁰² 4 & 5 Will. IV c.76, *An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales*, 1834 s.52.

or vegetable matter containing not less than nine ounces of carbon were required.²⁰³ It is not surprising that mutton was frequently ordered.

Although there are cases where medical relief was limited or refused, it appears that the guardians and relieving officers had adopted an informal policy of approving medical requests in almost every case. In 1856, the board wrote to the PLB asking how they should deal with requests from able-bodied labourers on behalf of their families. They acknowledged that whilst the provision of relief saved the labourer from heavy bills which would be impossible for them to discharge, it weakened the principle of self-reliance and was unfair on the medical officer who may thus be deprived of private practice.²⁰⁴ The PLB replied that whilst, as a general principle, labourers should provide for their family at their own cost, where the head of the family himself was ill, or where the illness was of long duration, or put unusual pressures on the family, relief could be given.²⁰⁵ Their only requirement was that the relief should be reported.²⁰⁶

The effectiveness of the provision of medical relief throughout the research period has to be seen in the light of contemporary medical knowledge and practice. Under the old poor law there was a great deal of reliance on nursing, but the parishes seem to have made honest provision of medical coverage prior to 1834. For ordinary labourers, medical treatment could be a considerable expense and paupers had an advantage that medical provision was free. After 1834, the fixation with process and, in the union, the constant infighting between the medical officers affected the provision of relief. However, whilst their attitude towards appointment of medical officers is questionable, the guardians seem to have allowed them to

²⁰³ *First annual report of the Registrar-General*, p.75.

²⁰⁴ SA PL5/11, November 10th 1856.

²⁰⁵ TNA MH 12/9884 PLB to guardians, *Correspondence*, November 29th 1856.

²⁰⁶ Poor Law Commissioners, *Order Prohibiting Outdoor Relief* (1844) Art.2.

provide relief as they saw fit. Despite the inadequacies of the system and of medical knowledge, this provision was very much a characteristic of a 'welfare state in miniature'.

3.9 Conclusions

Prior to the Poor Law Amendment Act, paupers in Cleobury Mortimer and the surrounding parishes were, it seems, looked after according to their needs. There is no evidence of any general stigma being attached to poverty and relief appears to have been dispensed freely with no reason to doubt that it was as fair as the system allowed. As needs arose, the vestry simply levied another rate which was collected without much demur. As far as possible, paupers were allowed to remain in their own homes with relief in kind or cash to maintain them. They were supplied with clothing, the poorest had their rent paid and in extreme cases, houses were built, even though each parish had its own poor house(s) and there were at least two workhouses in the area. However, were the parishes 'miniature welfare states'?

Thane concluded that the old poor law did represent a 'miniature welfare state', but it was 'ungenerous, even by the standards of modern welfare states'.²⁰⁷ Anne Borsay thought that parochial relief never amounted to a 'comprehensive system of financial relief' – especially for the elderly or disabled.²⁰⁸ Pamela Sharpe argued that relief was something that paupers had constantly to beg for, despite their thinking of it as their 'right',²⁰⁹ and Henriques took the view that the poor law was a 'last resort' for the poor and destitute,²¹⁰ yet in the study area relief was generous, in some cases very generous, and flexible. For the settled inhabitant

²⁰⁷ Thane, *Old Age in English History: Past Experiences, Present Issues*, p.159.

²⁰⁸ Anne Borsay, *Disability and Social Policy in Britain since 1750: A History of Exclusion* (Basingstoke: Palgrave Macmillan, 2005), p.150 quoted in T Philipson, 'The Sick Poor and the Quest for Medical Relief in Oxfordshire Ca 1750-1834' (Unpublished PhD thesis, Oxford Brookes University, 2009), p.14.

²⁰⁹ Pamela Sharpe, 'The Bowels of Compation': A Labouring Family and the Law, c.1790-1834', in *Chronicling Poverty: The Voices and Strategies of the English Poor, 1640-1840*, ed. Tim Hitchcock, Peter King, and Pamela Sharpe (Basingstoke: Macmillan Press, 1997), pp.87-108.

²¹⁰ Ursula Henriques, *Before the Welfare State: Social Administration in Early Industrial Britain* (London: Longman, 1979), p.1.

it was humane, but not so for those who did not belong and who were forcibly removed. Apart from this, there was a strong sense of harmony in the community, with the well-being of the less fortunate to the fore. The tables also suggest that despite the findings of Snell and John Broad, relief continued to be generous and flexible after 1780.²¹¹ There is no hard evidence of Ottaway's finding that vestry accounts indicated above all 'a concern to keep the cost of assistance to a minimum'.²¹² If anything, the repeated calls for poor rate levies in Cleobury Mortimer suggest the opposite.

The parishes were indeed 'miniature welfare states' and continued to be so to the same extent through the later period of the old poor law. The overseers' accounts show that approaches to relief were very similar (for example, see *Tables 8* and *9*) despite the different parishes and the many years between them.

Table 8 - Extract from a page of the Aston Botterell Overseers' Accounts for part of the year 1785 and part of the year 1786

	£	S	d
Sara Jones for Half a Tun of cole	0	4	0
The Widdow Rowley for Cole	0	9	6
Margery Raisal for Cole	0	6	9
For Clothing Ann Adams and too Children	0	12	6
For Making Ann Adams a Gound	0	1	4
For 3 yards of linse for Ann Adams Children	0	3	0
For a pair of shuse for Ann Adams	0	3	6
D ^o for her Dauter	0	2	9
Ann Couper for Cole	0	4	0
For a Bead and Bolster for Ann Adams	0	5	0
For Sheats and Blankets for D ^o	0	7	6
Ann Adams had in money. 2. Taters and otmils	0	2	11
Ann Adams in want	0	2	11
For the keep of Ann Adams children	0	4	6
Robard Adams to Bury is Child	0	12	0
Robard Adams Child when bad	0	2	0
For half a tun of Cole for Martha Fosbrook	0	4	3
For Thomas Morris a tun of Cole	0	8	6
Thomas Morrish Half a years House Rent	0	15	0

²¹¹ John Broad, 'Parish Economies of Welfare, 1650–1834', *The Historical Journal* 42, no. 4 (1999), pp.985-6.

²¹² Susannah Ottaway, *The Decline of Life: Old Age in Eighteenth-Century England* (Cambridge: Cambridge University Press, 2004), pp.196-7.

Table 9 - Extract from a page of the Wheathill and Loughton Overseers' Accounts,
June 15th 1817 to April 5th 1818

	£	S	d
Half Bushell of potatoes for John Medicot	-	3	0
Relieved Ann Birch	-	4	0
D ^o Ann Birch at different times	-	8	0
For laying out W ^m . Baich	-	1	6
For mending Higgs shoes	-	3	0
For a pair of Breeches for Higgs	-	7	0
For washing Shirts D ^o .	-	-	3
For a Shift for Hannah Watkiss	-	2	6
Washing for Higgs	-	2	4
½ years rent for Frances Medlicott	-	3	6
Frock for Higgs	-	4	0
Benjamin Reay for burying Wm. Baich	-	3	6
For a horse to take Mrs Kidson to Bridgnorth	-	1	0
Relieve Hannah Watkiss	-	3	0
Pd. Mary Hayse for House Room for Mrs Kidson	-	5	0
Paid Mrs Easthope for attending Mrs Kidson	-	7	0
Paid half the expences of W ^m . Baches funeral	-	17	0
Higgs washing	-	-	3

In addition to numerous casual payments, and the provision of relief in kind under many headings, permanent paupers – usually the old and infirm, but also mothers of illegitimate children – received regular monetary payments. Although some people were well looked after, and overseers even provided accommodation themselves, the parishes were also assiduous in removing people who did not belong. Snell's comment that for 'settled' inhabitants, parishes were 'miniature welfare states' appears to be the case under the old poor law as, to give but one of many similar examples, the treatment of Matthew Hopcote would suggest (as shown in *Table 10*).

Table 10 - Payment to and for Matthew Hopcote²¹³

Date	Matthew Hopcote		Mary Norgrove ²¹⁴	
	In illness	In distress	Nursing	Drink
July 17 th 1775		2s 6d		
‘ 19 th		2s 6d		
‘ 21 st		2s 6d; plus wine 1s		
‘ 24 th		2s 6d	6s	
August 1 st		2s 6d		
‘ 5 th		2s 6d		
‘ 6 th	2s			
			8s 10d	8s 1d
‘ 10 th		2s 6d		
‘ 12 th	2s 6d		2s 6d	
‘ 14 th	2s 6d			
‘ 17 th	2s 6d		3s	
‘ 20 th	2s and 1s			
‘ 22 nd			1s	
‘ 23 rd		4s 2d plus 1s 3d	1s	
‘ 26 th	1s			
‘ 26 th			2s 6d plus 7s 2d	9s
September 3 rd				3s 6d
‘ 5 th	8s			
‘ 6 th			10s	
‘ 10 th				3s 6d
‘ 12 th	8s			
‘ 13 th			5s	
‘ 16 th				4s
‘ 19 th	8s			
‘ 20 th			5s	
‘ 26 th	8s			
‘ 27 th			5s	1s 2d
October 3 rd	8s			
‘ 4 th			5s	1s 2d
‘ 17 th	8s			
‘ 18 th			5s	1s 2d
‘ 21 st	8s		5s	1s 2d
‘ 30 th	Drink at Hopcote’s funeral 2s; burial fees 3s 4d			
November 1 st			5s	1s 2d
‘ 13 th			2s for Hopcote’s son	
‘ 20 th			2s for Hopcote’s son	
‘ 27 th			1s 6d for Hopcote’s son pw	
	Paid 5s to Mr Ed ^w . Hemmings for selling part of Hopcote’s goods; Paid 1s 9d for drink for Mr Hemmings; Paid the overseer 7s 6d for attending the sale			
‘ 4 th			1s 6d for Hopcote’s son pw – paid each week to Mary Norgrove until the last few weeks of 1778 when it was paid to Thomas Norgrove, her husband. At the end of January 1779, young Hopcote contracted smallpox.	

²¹³ SA P/71/L/1/4 *Overseers’ Accounts 1774-1795*.

²¹⁴ Norgrove had also been nursing Hopcote’s wife – paid 6s. July 1775.

The change in the regime after the Poor Law Amendment Act was substantial. No longer was an eye kept on the poor by a local overseer, but a relieving officer attended in each parish on defined days. Applicants had to go through the embarrassment and shame of pleading their case in front of the board of guardians and the level of refusals was much higher than before. There is no easily explainable logic to the refusals. Two people with ostensibly similar characteristics and needs could receive different decisions in the same session. Women with illegitimate children were treated less kindly after 1834 and highly subjective issues of character swayed decisions. It was much more common to find women being labelled of bad character than men, and it is possible to draw conclusions of misogyny on the part of the guardians. The rules under the new system were strict: certain things were allowed or forbidden, but everything else had to be referred to London, which altered the way decisions were made. The minutes exemplify many harsh decisions, where paupers are refused or have their relief stopped. It was also clear that whilst individuals could choose whether to go into the workhouse, in reality the guardians forced them to do so. These actions may not appear to be those of a welfare state, but there are many signs of genuine kindness and an attempt to allay, for many, the vicissitudes of poverty. Whilst to an extent the PLB tied the guardians' hands, it is possible that some of the change in the provision of relief was as much, if not more, due to the character of the individual guardians and the dynamics at play in their meetings.

In 1942, William Beveridge named his 'five giants' as want, disease, ignorance, squalor and idleness.²¹⁵ Although there may have been a resigned acceptance that 'the poor are always with us',²¹⁶ these would not have been unfamiliar problems in the late eighteenth and nineteenth centuries. To varying degrees, there were efforts to deal with them and most

²¹⁵ William Henry Beveridge, *Social Insurance and Allied Services*, [6404], 1942, p.6.

²¹⁶ From John 12:8 'The poor always ye have with you, ...' (KJV).

people would have been influenced by bible teaching that the poor deserved help.²¹⁷ Adam Smith argued for education for the poor,²¹⁸ and Georgian reformers such as John Howard and Jonas Hanway campaigned against squalor.²¹⁹ John Wesley exhorted teaching the poor not just industry but cleanliness,²²⁰ and the link between squalor and disease was well-known.²²¹ The purpose of both poor law regimes was to deal with want and idleness, charitably with one and harshly with the other. However, both systems, and the way in which they were applied locally, seemed to mitigate idleness by encouraging work and helping people to find it. Medical knowledge and capability were limited during most of the period, but relief became more available under the new poor law, though mostly in the form of nourishment. As Beveridge recognised, ignorance and squalor could not be overcome easily.²²² Overall, however, the post-1834 attempts to reduce pauperism could not allow the union to be classed as a ‘miniature welfare state’ for two principal reasons. Whilst it provided a roof, food and perhaps companionship, the preferred option of the workhouse did not contribute overall to a person’s ‘well-being’, in contrast with the old poor law’s practice of out-relief allowing people to stay in their own home.

²¹⁷ For example, Deut. 15:11, Matt. 25, Luke 12:33.

²¹⁸ Adam Smith, *An Inquiry into the Nature and Causes of the Wealth of Nations*, 2 vols., vol. II (London: W. Strahan and T. Cadell, 1776), p.368.

²¹⁹ Morgan, Rod. ‘Howard, John (1726?–1790), philanthropist.’ *Oxford Dictionary of National Biography*. 23 Sep. 2004. <https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-13922>. [Accessed January 6th 2020]; James Stephen Taylor, ‘Hanway, Jonas (bap. 1712, d. 1786), merchant and philanthropist’, *ibid.* (2008).

²²⁰ John Emory, ed. *The Works of the Reverend John Wesley, A.M.*, 7 vols., vol. II (New York: Methodist Episcopal Church, 1831) Sermon CIII., p.333.

²²¹ Charles Creighton, *A History of Epidemics in Britain*, 2 vols., vol. II (Cambridge: Deighton, Bell and Co, 1891), pp.134-5.

²²² TNA T 161/1165 Extract from notes from the advisory panel on Home Affairs on Reconstruction Problems: The Five Giants on the Road, June 25th 1942.

4. Life stages: Children and Childhood

For many, images of early nineteenth-century children are conjured up by writers such as Dickens whose novel *Oliver Twist* bore the subtitle *The Parish Boy's Progress*,¹ taken perhaps from Bunyan's allegory, *The Pilgrim's Progress*.² Richardson suggests that Oliver's progress was to London – 'a dirtier or more wretched place he had never seen' – but was it not to a new life with Mr. Brownlow, who turned out to be his great-uncle? Nineteenth-century Britain was home to 'great floods of children' who throughout the course of the century constituted up to 40 percent of the population.³ While the question of whether 'parish' children were able to progress and avoid the life-cycle of poverty is outside the scope of this thesis, it nevertheless asks to what extent were poor children in the Cleobury Mortimer area encouraged by the regime of poor relief to escape poverty, or did it simply provide subsistence levels of support? Perhaps surprisingly, the 1834 Poor Law Report makes little reference to children or their needs. The initial classification separated those under seven as children from boys and youths aged 7 to 13 and girls from 7 to 16; later this was changed for boys and girls to those between 7 and 15.⁴ In this chapter, 'children' refers to those up to the age of 15. Infant and child (under five) mortality was high in the area and those who survived were much at risk of relying on the system for support, due to the incidence of illegitimacy and the poverty of families who relied on farm work.

To answer the question of how children fared, this chapter looks at several issues, especially the impact of illegitimacy, settlement removal, the use of the workhouse and

¹ Charles Dickens, *Oliver Twist; or, the Parish Boy's Progress*, 3 vols. (London: Richard Bentley, 1838).

² Ruth Richardson, *Dickens and the Workhouse: Oliver Twist and the London Poor* (Oxford: Oxford University Press, 2012), p.15.

³ Eric Hopkins, *Childhood Transformed: Working-Class Children in Nineteenth-Century England* (Manchester: Manchester University Press, 1994), p.161.

⁴ *First Annual Report of the Poor Law Commissioners* Appendix A. 'No.9 Workhouse Rules'; Poor Law Commissioners, *Workhouse Rules Order*, February 5th 1842.

education. Before the new poor law, families were usually supported in their own homes, but afterwards were forced into the workhouse. The application of settlement laws meant that even lone children were removed to their 'home' parish. In another form of enforced removal, children as young as 7 to 9 could be removed, often from their parents and sent away to be apprenticed, almost invariably in housewifery and husbandry rather than a guild trade,⁵ though at the time the workhouse system was thought to aid workhouse children in getting a start in life, thus avoiding life-long pauperism.⁶ In the new poor law system, children could expect to receive some education, though prior to that it was generally available only to those who could pay. This caused resentment, not least among the guardians, and a great deal of conflict. The chapter also looks at the incidence of criminal behaviour.

4.1 Infant and child mortality

A high proportion of children born into poverty did not survive infancy or early childhood. Research by Wrigley *et al.* suggests that infant mortality was around 130 per 1000 in 1838-44 in twenty-six English parishes.⁷ In the registration districts which included the Cleobury Mortimer area, it was high at 14.76 percent for a similar period (376 infant deaths under one year old, against 2,548 births in total).⁸ For those born in the workhouse, almost 12 percent died in infancy.⁹ These figures are a substantial increase over those recounted by Keith Goodman: his statistics show infant mortality falling from 85.32 per thousand between 1701

⁵ 39 Eliz. I c.3 *An Act for the Relief of the Poore*, 1597.

⁶ Crompton, *Workhouse Children*, p.223.

⁷ E.A. Wrigley *et al.*, eds., *English Population History from Family Reconstitution 1580-1837* (Cambridge: Cambridge University Press, 1997), pp.270-1.

⁸ *Eighth Annual Report of the Registrar General of Births, Marriages, and Deaths in England*, [1967], 1847-8. p.79.

⁹ This figure only considers those born and dying in the workhouse – any who left the workhouse in the two years after birth are not considered.

and 1710 to 78.57 per thousand between 1751 and 1760 and to 67.79 per thousand between 1801 and 1810.¹⁰

Based on census returns for Bath in 1839, the vital statistician, Alexander Finlaison, concluded that almost 50 percent of children born to agricultural and other labourers, artisans, and servants died before reaching their fifth birthday, compared with one in eleven in the landed gentry, though Finlaison's figure seems very high.¹¹ There are no records of paternal occupation but, overall, only 16.5 percent of children in the area failed to reach their fifth birthday. The vast majority would have been in Finlaison's first group. Although mortality is associated with environmental, social and economic conditions, males have an inbuilt biological disadvantage, being more susceptible to infections.¹² This is supported by the deaths in the Cleobury Mortimer area: almost 18 percent more boys than girls, died under two and almost 24 percent under five years of age. A suggestion that illegitimate babies had half the survival rate of legitimate infants cannot be verified for lack of data.¹³

4.2 Bastardy¹⁴

For the vast majority of those born illegitimate it was unlikely to be an auspicious start to life. A single parent meant reduced circumstances and many women lost their jobs – and often accommodation – through pregnancy. The contemporary legal definition was that a bastard

¹⁰ Goodman, 'Hammerman's Hill', p.389. Goodman does not specify how infant mortality is defined or quote his source..

¹¹ Sally Mitchell, ed. *Victorian Britain: An Encyclopædia*, 2011 ed. (Abingdon, Oxon: Routledge, 1988), p.356; F. B. Smith, *The People's Health, 1830-1910* (London: Croom Helm, 1979), p.68.

¹² Greg L. Drevenstedt *et al.*, 'The Rise and Fall of Excess Male Infant Mortality', *Proceedings of the National Academy of Sciences of the United States of America* 105, no. 13 (2008).

¹³ Mitchell, *Victorian Britain: An Encyclopædia*, , p.142.

¹⁴ A pejorative term, even in its day. However, all the various alternatives have negative connotations today and, rather than skirt around the sensitivities, the term and its associated words will be used in the sense and context in which they were used in the period, but without any intention of denigrating any individual or individual's circumstances. Given that, the language in the Poor Law Commissioners' Report is intemperate and clearly chosen to support the case for changing the rules on supporting women and their children. (*PLR* , pp.92-98) One hundred and fifty years later, Laslett and Oosterveen's use of terms the 'bastardy prone sub-society' and 'repeaters' seems equally judgemental; Laslett and Oosterveen, 'Long-Term Trends in Bastardy in England', p.282.

was ‘one that is not only begotten but born, out of lawful matrimony’.¹⁵ *Lawful* marriage prior to birth was required for legitimacy. Since the Statute of Merton of 1235, parents had to be *married* to avoid a child’s bastardy;¹⁶ though, until Hardwicke’s Marriage Act of 1753, which required marriage in a church after publication of banns, a pledge of good faith was recognised as valid under canon law, making the legal definition of marriage debatable.¹⁷ Recognition was tempered by a difference between canon and civil law: if a child was born to unmarried parents who later married, the child was then legitimate.¹⁸ Bastards could not inherit, as they were deemed to be *filius nullius*: it was not until 1926 that children, illegitimate in law, could be legitimised by the subsequent marriage of their parents.¹⁹

The concept of marriage had long been flexible but even after 1753, ‘common-law’ marriages were not uncommon.²⁰ George Gandy estimated that in the community of Culcheth, Lancashire, between 10 and 20 percent of couples between 1780 and 1840 were not married according to law, with over 30 percent in the 1830s; and J.R. Gillis argued that there were large numbers of irregular unions between 1750 and 1850, though varying by region.²¹ According to Ginger Frost, the largest category of those who chose not to marry was the poor and, in general, any social stain of adultery or cohabitation did not convince couples they were in the wrong.²²

¹⁵ Sir William Blackstone, *Commentaries on the Laws of England*, 12th ed. (London, 1793, Oxford 1765), p.454.

¹⁶ 20 Hen.3, c.9 *Provisiones de Merton*, 1235 – ‘he is a bastard that is born before the marriage of his parents’.

¹⁷ R. Helmholz, *The Canon Law and Ecclesiastical Jurisdiction from 597 to the 1640s*, 5 vols., vol. 1, *The Oxford History of the Laws of England* (Oxford: Oxford University Press, 2004), p.558.

¹⁸ Richard Burn, *Ecclesiastical Law*, 2 vols., vol. 1 (London, 1763), p.87.

¹⁹ 16 & 17 Geo.5 c.60 *Legitimacy Act*, 1926.

²⁰ For a treatment of the social issues of marriage, cohabitation and illegitimacy see, for example: Frost, *Living in Sin*; Adair, *Courtship, Illegitimacy and Marriage in Early Modern England*; John R. Gillis, *For Better, for Worse: British Marriages, 1600 to the Present* (Oxford: Oxford University Press, 1985); Shirley F. Hartley, *Illegitimacy* (Berkeley: University of California Press, 1975).

²¹ Frost, *Living in Sin*, p.123, citing: George N. Gandy, ‘Illegitimacy in a Hand-Weaving Community: Fertility Patterns in Culcheth, Lancs., 1781-1860’ (unpublished DPhil thesis, University of Oxford, 1979); Gillis, *For Better, for Worse: British Marriages, 1600 to the Present*; Laslett, Oosterveen, and Smith, *Bastardy and Its Comparative History: Studies in the History of Illegitimacy and Marital Nonconformism in Britain, France, Germany, Sweden, North America, Jamaica and Japan*, .

²² Frost, *Living in Sin*, pp.96, 123.

The state of being illegitimate was a drawback in many respects: mostly related to property and inheritance, it was not likely to concern the poor; nor was the curious fact that under-age illegitimate persons required the consent of a Chancery court guardian to marry, as they had no legal parents.²³ In law, a bastard was held to be a *terminus a quo*, the first of his family, ‘for he hath no Relation of which the Law takes any Notice’.²⁴ Though this was held to be for civil purposes only, there were moral issues and, despite having no ‘relatives’, a bastard could not marry his mother or bastard sister. Bastardy did not carry the same social stigma in the lower and poorer classes but attitudes towards it were reinforced by what were probably the “harshest bastardy laws in Europe”.²⁵ For example, the 1575 Poor Act which, despite its title, deals firstly and unforgivingly with the unfortunate children:

concerning Bastards begotten and borne out of lawful Matrimonye, (an Offence against Gods Lawe and Mans Lawe,) the said Bastards being now lefte to bee kepte at the Chardge of the Parishe where they bee borne, to the great Burden of the same Parishe and in defrauding of the Reliefe of the impotente and aged true Poore of the same Parishe, and to the evell Example and Encouragement of lewd Lyfe:²⁶

Alan Macfarlane suggests that bastardy did not always experience disapproval, but was likely tolerated as a frailty, at least until the nineteenth century.²⁷ How much this is true is moot, but though harsh laws were in place, popular attitudes seemed much more tolerant. Notwithstanding the preamble to 18 Eliz. I c.3, canon law recognised that ‘even a child born

²³ Idem, p.13. But this may not have been clear-cut. For a discussion of precedents and how the law was applied see J. Neville Turner, 'Marriage of Minors', *University of Western Australia Law Review* 8, no. 3 (1968): 331!

²⁴ *terminus a quo* (Lat.) – a point of origin; *Cases and Resolutions of Cases Adjudg'd in the Court of King's Bench, Concerning Settlements and Removals, from the First Year of King George I. to the Present Time*, 4th ed. (London, 1742), p.142.

²⁵ The claim is made in Ginger S. Frost, "The Black Lamb of the Black Sheep': Illegitimacy in the English Working Class, 1850-1939", *Journal of Social History* 37, no. 2 (2003) p.293 and repeated in *Living in Sin*, p.12 but without any empirical basis in either work.

²⁶ 18 Eliz. I c.3 *An Acte for the setting of the Poore on Worke, and for the avoyding of Ydlenes*, 1575/6.

²⁷ Alan Macfarlane, 'Illegitimacy and Illegitimates in English History', in *Bastardy and Its Comparative History*, ed. Peter Laslett, Karla Oosterveen, and Richard M. Smith (London: Edward Arnold, 1980), pp.75-6.

Macfarlane bases his observations largely on seventeenth-century sources, but suggests that whilst bastardy may give rise to a scandal, afterwards the child, mother and father are accepted back into normal social relations and the affair does not cause shame.

of fornication had a right to be furnished with the necessities of life by its parents'.²⁸ The reality was that the view probably depended on where one stood in society. The clergy, quite naturally, took a moralistic stance. Patrilineal descent was of no interest to the poor or humble and the labouring classes were relatively tolerant of the situation; although for the majority social legitimacy was not an issue,²⁹ some of the illegitimate themselves felt stigmatised.³⁰ However, it was those in authority who were most concerned with the 'multiplication of an impoverished population': bastardy was an economic problem.³¹

4.2 Settlement

The laws of settlement (more fully described in Chapter 5) were no respecter of age – children were just as likely to be affected as adults. Generally, a child inherited the settlement of its father, except for illegitimate children – being *filius nullius* – who were settled in the parish of birth. Poor children were a drain on parish funds, as they had to be maintained for several years until they could be apprenticed or put out to work. Parishes, and the later unions, did what they could to minimise their costs and this meant that children could be removed, but were the settlement laws a burden on children?

It was a tenet of the law that a child should not be separated from its mother. Where the mother of a bastard child had a different settlement from the child, just as in the case of legitimate children, the child should remain with the mother for nurture until the age of seven years, but the settlement parish of the bastard child was responsible for its maintenance.³² This can be contrasted with a later ruling. If a bastard child was born before the passing of

²⁸ R. Helmholz, *Canon Law and the Law of England* (London: Hambledon Continuum, 1987), p.172.

²⁹ Legitimate patrilineal descent was required for inheritance, an issue unlikely to be of importance to the poor; See Gandy, 'Illegitimacy in a Hand-Weaving Community'.

³⁰ "Letter and Editorial", *Universal Spectator and Weekly Journal*, August 30th 1735; "Of Bastardy", *Gentleman's Magazine*, 1735.

³¹ Henriques, 'Bastardy and the New Poor Law', p.111.

³² Sir Gregory A. Lewin, *A Summary of the Law of Settlement* (London: Sweet, 1827), p.94.

the Poor Law Amendment Act and was living apart from the mother, who had since married and whose husband was alive, she or he could be removed to the parish of her birth, even though within the age of nurture.³³

[Order of removal] Hannah Hailes the Female Bastard Child of Mary Hailes Singlewoman an Infant of the age of four months or thereabouts born in the parish of Kidderminster aforesaid³⁴

[Suspension of order] that Mary Hailes the mother of the pauper Hannah Hailes is legally settled in Mamble herein mentioned and the said Hannah Hailes the pauper within ordered to be removed is at present unable to be removed by reason of her tender age³⁵

An order for removal did not necessarily mean physical removal: the order was necessary to force the other parish to pay the expenses of maintenance. Although in the case of Elizabeth Green who in 1794 at eighteen months had been deserted by her mother, the examination found that her lawful place of settlement was Bewdley and she was ordered to be removed.³⁶

Orphan children were a drain on parish resources and the overseers would seek to minimise their exposure by having them removed elsewhere or, when they were older, by being apprenticed. John Oliver, aged 12, and his siblings Ann (9), Richard (7), Elizabeth (5) and James (3) were ordered to be removed from Netherseal, Leicestershire to Cleobury Mortimer in August 1818.³⁷ The children had been orphans for three months. Their mother, Elizabeth, was buried at the beginning of July 1817, a few months after the birth of her sixth child, Edward, who himself died and was buried in the November. Their father, James, died six months later and was buried at the beginning of May 1818. It is not clear whether the order was carried out, or whether the children returned to Netherseal, as John Oliver, the

³³ R Tarrant Harrison, ed. *Harrison's Analytical Digest of All the Reported Cases, Determined in the House of Lords, the Courts of Common Law, in Banc and at Nisi Prius and the Court of Bankruptcy; from Michaelmas Term, 1756, to Easter Term, 1843: Including Also the Crown Cases Reserved [...]*, 2d American from the 3d London ed., 5 vols. (Philadelphia: 1846) vol.2 col. 5270.

³⁴ WAAS 850MAMBLE/9659/6/xxxii *Mamble Parish Records, Removal orders*, March 24th 1820.

³⁵ *Ibid.*

³⁶ SA P71/L/15/239 *Settlement Records*.

³⁷ SA P71/L/15/329 *Settlement Records*.

eldest sibling also died and was buried in Netherseal in June 1819. There is no trace of a baptism for the youngest child, James, although he appears in the 1841 census living in Ashby de la Zouch with (presumably) his wife, Elizabeth, and daughter, Ann, and worked as a blacksmith.³⁸ The order states that the last legal place of settlement of James Oliver, senior, was Cleobury Mortimer and that the children had done no act in their own right to gain settlement. There is no accompanying examination, but it is possible that James Oliver was born in Cleobury Mortimer.³⁹

The general principle that a child could not be removed from its mother whilst within the age of nurture makes the following removal a little difficult to understand. A three-year-old child, William, named as Clee, but described as the bastard son of Martha Clee now Martha Price, was ordered on the examination of his mother in 1783 to be removed to Cleobury Mortimer.⁴⁰ The order says he had become chargeable to the parish of Bitterley having been deserted by his mother. It also says that he was born in Cleobury Mortimer, which may have been true although he was baptized in Bitterley as William Price, son of Martha Clee.⁴¹ The order records Martha Clee as having been examined, but no examination survives, so it is not clear in what way he had been deserted. Martha Clee, described as a single woman, had been ordered to be removed from the parish of Bitterley to Cleobury Mortimer in August 1779.⁴² The 1601 act required parents to maintain their children and if she had deserted her son, and been at hand for examination, it is surprising that she was not prosecuted under the Vagrancy Act. It is interesting to note that one hundred years later, in 1871, the guardians sought permission to appoint a special officer to seek out parents who deserted their children as the police 'were insufficient for their purpose'. The PLB said no,

³⁸ TNA HO 107/596/3 *1841 Census* f.7, p.9.

³⁹ SA P71/A/1/4 *Cleobury Mortimer Parish Registers*, April 22nd 1781 – James Oliver, s. of Wm. and Sarah.

⁴⁰ SA P71/L/15/226 *Settlement Records*.

⁴¹ SA P34/A/1/3 *Bitterley Parish Registers* January 20th 1780.

⁴² SA P71/L/15/222 *Settlement Records*.

but reminded the guardians that they could offer rewards, as these had been found very efficacious elsewhere.⁴³

Children removed based on the evidence of their mother seems strange, but it was not uncommon. Sarah Brooks, unmarried and pregnant, was ordered to be removed from Cleobury Mortimer to Kidderminster in February 1824.⁴⁴ Her child, Caroline, was born in Kidderminster in May.⁴⁵ Eight years later her children, Caroline (now nine) and John (aged six), were ordered to be removed from Cleobury Mortimer to Kidderminster, based on the examination of Sarah Brookes.⁴⁶ Here is another case of a child ‘deserted’ by her mother, but where the mother is examined as to the child’s settlement.

Sometimes it was too much for the parent, and children were abandoned, and the parent(s) left the district. For example, James Green, a bastard aged 2, was deserted by his mother, then refused relief on the application of William Hill with whom he lived and offered the workhouse. Thomas Pope, 12, was deserted by his father.⁴⁷ There is a case of desertion which gives a much more detailed insight into the stories of the poor and which is worth describing in detail. Esther Powell left her two illegitimate sons, George and James aged 12 and 3, at the workhouse one Saturday evening in 1839 with a letter saying:

I am obliged to leave these two children at the workhouse for a bit as I have not a penny left to keep them any longer and it is no use me being in the workhouse with them to be parted from them. I am going to make hay and make a little money. I will fetch them out as soon as I can. If you will be pleased to be good to them and not to beat them for the oldest is not so sensible as he ought to be.⁴⁸

Two months later she wrote to say she was anxious to see her two poor little boys.

⁴³ TNA MH 12/9887 *Correspondence*, April 18th 1871.

⁴⁴ *Idem*. P71/L/15/353.

⁴⁵ Ancestry.com *England, Select Births and Christenings, 1538-1975* [database on-line] May 12th 1824 [Accessed August 25th 2015].

⁴⁶ SA P71/L/15/410 *Settlement Records*.

⁴⁷ SA PL5/3, February 25th 1841; PL5/11, September 15th 1856.

⁴⁸ SA PL5/103, June 21st 1839.

Poor George will think I shall never come again and perhaps fret in their little minds about me and think I am gone away and shan't come again to them but please to tell them I shall come as soon as I can for them if please God I live or send someone for them.⁴⁹

She went on to say that she had moved further away until the hop picking was done. It is a strange letter as she related how the previous year she had them with her and they were 'able to have some pap with her in the morning and some drink and cider often, but poor children are not allowed a drop of drink at the workhouse nor nothing to strengthen them'. She wondered 'how gentlemen think they be to grow or come to anything ever to do for themselves' but she 'supposes they want them underground'. The children, recorded as Thomas and George, were admitted to the workhouse, but left after Powell, alias Clent, personally appeared before the guardians and asked for their removal. She was admonished, it being pointed out to her that she could have been severely punished (presumably under the Vagrancy Act).⁵⁰

It seems that removal orders were used but not always for physical removal. However, although children were a major cost to the parish until they were apprenticed, there is little evidence that Cleobury Mortimer ordered children to be removed as a matter of course, though it is clear that other parishes were in the habit of removing children, or at least sought costs from their parish of settlement. The greater risk for children seems to have been to be deserted by their parent(s), as seen in the workhouse figures in the following section.

4.3 The workhouse

Nationally, in 1847, children accounted for about one quarter of the workhouse population.⁵¹ Of those children, 30 percent were illegitimate – and one third of those without their mothers.

⁴⁹ Ibid. August 10th 1839.

⁵⁰ SA PL5/3, July 1st 1839; *ibid.* August 12th 1839; 5 Geo. IV c.83.

⁵¹ *Return of the Number of Children in the Workhouses of 614 Unions, Local Acts and Gilbert's Act, in England and Wales, on Thursday, the 18th Day of March 1847*, (445), 1847-48; *Return of the Number of Paupers*

In the Cleobury Mortimer Union, the pattern was different. Between 1841 and 1851, the proportion of children in the workhouse was more than 40 percent. In 1847, half the children in the workhouse were illegitimate, though only two children were without their mothers. Two years later, the figure was almost 70 percent and half of those children were without their mothers. In arguing for education for pauper children, James Kay pointed out that ‘a child cannot be indigent as the consequence of his own want of industry ...’ yet, initially at least, they were subject to much the same regime as adults and what education they were given was within the confines of the workhouse.⁵²

The first three applications to enter the workhouse under the new regime included twelve children. Hannah Potter had three illegitimate children, whose father had been transported. Susannah Potter, described as a widow whose husband had been transported, had three illegitimate children by another man, who had also been transported. Thomas Dillon and his wife had five children under the age of eight. He was suffering an ‘extravasion [*sic*] of blood on the brain due to overworking himself’.⁵³ Both women were offered the workhouse, but it was not ready, so were given temporary relief until it was. Dillon’s family were to be relieved in their home.

Relieved During Each of the Quarters Ending Lady-Day 1846 and 1847; Together with Amount Expended, Establishment Charges, &c., in Each of the Unions and Single Parishes, under the Act, for 1846 and 1847, (466), 1847-48.

⁵² *Fourth Annual Report of the Poor Law Commissioners for England and Wales; Together with Appendices A. B. & C., (28), 1837-38, p.145.*

⁵³ SA PL5/123 *Application and Report Book*, March 1837.

Table 11 - Children in the Cleobury Mortimer Workhouse⁵⁴

	1847		1849	
	Boys	Girls	Boys	Girls
Illegitimate – mothers in workhouse	8	8	7	9
Illegitimate – mothers not in workhouse		2	4	4
Children of widows and widowers in workhouse	1	2		4
Children of widows and widowers not in workhouse				
Orphans	1	4	1	1
Deserted by one or both parents	3	3		1
Children of criminals, transported or in prison	2	2		1
Children of bodily or mentally infirm				
Children of able-bodied parents in workhouse				
Children of able-bodied parents not in workhouse				
Uncategorised			2	1
TOTAL	15	21	14	21

Table 11 shows the number of children known to be in the workhouse in 1847 and 1849. Only an average of about three children were born in the workhouse each year: a total of 163 children were born in the workhouse to single mothers from 1813-1871. The rest were brought in by their parents or relatives, or by the guardians. Despite the image of Oliver Twist's mother,⁵⁵ only three cases of maternal death in the workhouse have been identified. There were also twenty-two pregnant married women, some of whom were in the workhouse with their husbands.⁵⁶ It is quite difficult to picture the desperation those couples must have experienced. John and Eliza Ferriday married in 1836 in Ribbesford, Bewdley. It was five years before they had a child, Caroline, but then John lost his job and all three were sent to the workhouse. Eliza was pregnant at the time. Their son, John was born in the workhouse – two weeks after his sister died. Sometimes, however, there was a glimmer of hope. William

⁵⁴ TNA MH 12/9883 Return of children in Workhouse, *Correspondence*, March 18th 1847; *Return from Unions in England and Wales of Number of Children in Workhouses*, March 1849, (180), 1849.

⁵⁵ Dickens, *Oliver Twist* In the novel, Oliver's mother, an otherwise respectable, but unmarried woman, died after childbirth in a workhouse.

⁵⁶ Lionel Rose, *Massacre of the Innocents: Infanticide in Great Britain 1800-1939*, 2016 reprint ed. (Abingdon, Oxon: Routledge, 1986), p.32.

Gillam wrote to his wife in 1838 to say that he had now found work. She was in the workhouse with their children:

Dear Wife. I send you a few lines to let you know I have taken a House and found plenty of work. Please to send me word by the Bearer whether you will come to live with me. He will tell you the particulars. If he not set out till Tomorrow I should had some money to have sent you. Please to send me word tomorrow and accept of my Love for you and the Children. Your loving husband, Wm. Gillam⁵⁷

Three days after he wrote the letter, his wife Maria appeared before the guardians saying she and her children had been deserted by her husband. She was awarded two gallons of flour per week and an order was made for the apprehension of the husband.⁵⁸ It appears the letter, which is characteristically sanguine,⁵⁹ did not reach her before the guardians' meeting.

The new poor law left little room for manoeuvre, but the earlier vestries could be capricious. William Taylor had several children and the vestry had agreed that two of them could go into the workhouse. The vestry was to choose which two at a meeting, but accused Taylor of behaving insolently towards them, so they withdrew the offer, leaving Taylor threatening to go to the magistrate.⁶⁰ Not all children were sent to the workhouse. In 1840 Shipman's children, who were living with a Mrs Amies, were ordered to be removed to Thomas Pearce, to whom relief was to be paid, to enable them to attend school at Stottesdon. Mrs Pearce then applied for shoes for four children, which was allowed.⁶¹

4.3.2 Punishment

The case of Esther Smith in 1852 illustrates well the way in which the guardians relied on the Poor Law Board for advice – and perhaps an unwillingness to take certain actions without its

⁵⁷ SA PL5/103, April 20th 1838.

⁵⁸ SA PL5/2 *Guardians' Minutes, Minute Book B*, April 23rd, 1838.

⁵⁹ Many of the surviving pauper letters show similar emotion.

⁶⁰ SA P71/C/1/2, April 17th 1795.

⁶¹ SA PL5/3, January 27th, February 24th 1840. At some time, they were admitted to the workhouse, as the grandmother made application take out the eldest boy and maintain him; Ibid. August 9th 1841.

backing. Smith, who claimed to be fourteen years old, but looked older, had arrived in Cleobury Mortimer, having been released from gaol where she had been imprisoned for felony. Enquiries failed to establish any settlement, or details of her parents – if any. This last remark may have been an allusion to possible bastardy. She used bad language and engaged in behaviour deemed injurious to the other children. The guardians wished to remove her from the workhouse, but her character made her unfit for service. The PLB was unable to offer any advice, but pointed out that the girl could be placed with the able-bodied women and then the master could enforce strictly the discipline rules.⁶² Infringements of rules were punished by having food withheld and being put on a diet of bread or potatoes only. Esther Smith absconded in 1852 and was put on bread and water for two days.⁶³ Solitary confinement for twenty-four hours was allowed but was usually less. Elizabeth Potter was locked up for the afternoon for throwing stones over the wall into the men's yard, and severely reprimanded.⁶⁴ Boys could be whipped, but not girls, though punishment of children was not allowed until several hours after the deemed infraction. Refusing to work or damaging property resulted in hard labour in the county gaol.

Given the high profile of stories today of alleged abuse in children's institutions, it is arresting to note a report from the visiting committee in 1846 where they wrote that they considered it highly improper that a man, named Thorney, was allowed to have a bed in the boy's sleeping room. He was to be removed immediately and no similar occurrence be allowed to happen again.⁶⁵

⁶² TNA MH 12/9884 Letter to PLB and reply, *Correspondence*, September 14th & 24th 1852.

⁶³ SA PL5/9 *Guardians' Minutes, Minute Book J*, September 6th 1852.

⁶⁴ *Idem*.

⁶⁵ TNA MH 12/9882 Report of the visiting committee to the workhouse, *Correspondence*, November 16th 1846. In his research, Jonathan Sumbler found no instances of sexual impropriety in Shropshire workhouses (Sumbler, 'Child Poverty in Victorian Shropshire: Children and the Shropshire Poor Law Unions 1834-1870' p.138).

4.3.3 Dietaries

The guardians had to choose from one of six dietaries, which could be varied with the sanction of the Poor Law Board. A variation of dietary number two was used, to which a small change was made in 1847, the master of the workhouse reporting that it had met with grateful approval - the children endorsing pea soup instead of cheese and butter on Wednesdays.⁶⁶

The Poor Law Board rebutted a proposal in 1867 to change the Thursday dinner:

... the amount of vegetables to be given to the able-bodied and aged and infirm with their meat on Thursdays is not stated ... As regards the dinner provided for the children on Wednesdays the Board are disposed to consider that 10oz of rice pudding is insufficient for children for 5 to 9 year of age; that three ounces of bread with half-an-ounce of cheese should be given with the rice pudding and two ounces of bread to children from 2 to 5 years.

The guardians replied that the amount of vegetables was not stated as it was not proposed to weigh them but to be left to the discretion of the master. With regard to the rice pudding, the guardians thought it 'sufficient' and did not propose to add any bread or cheese. The Poor Law Board stood firm – rice, they said, was not sufficiently nutritious and often disliked by children.⁶⁷ In 1847, the PLC drew the guardians' attention to a recent workhouse visit report, which noted that eye complaints had been prevalent among the children. The medical officer decided this was due to an insufficiency of 'animal food' and ordered not less than four ounces of cooked meat, three times per week for children aged from 9 to 16.

⁶⁶ TNA MH 12/9883 Master to board of guardians, accompanying request for sanction to PLC, *Correspondence*, July 19th 1847.

⁶⁷ TNA MH 12/9886 Exchange of letters re dietary between guardians and PLB, *Correspondence*, August 1867.

A recent study, inspired by Oliver Twist's plea for more, favourably compares the diet for a 9-year-old boy with today's recommendations (*Table 12*).

Table 12 - Comparison of modern reference diet with those in the workhouse and inferred in 'Oliver Twist'⁶⁸

	Reference diet⁶⁹	Oliver Twist's diet	Workhouse dietary
Energy (kcal)	1970	414	1582
Protein (g)	28.3	12.5	61.1
Fat (g)	76.6	9.9	54.7
Carbohydrate (g)	311.3	73.4	220.7
Iron (mg)	8.7	4.21	8.58
Calcium (mg)	550	69	657
Vitamin C (mg)	30	1	0

The average agricultural family in the 1830s and 1840s spent only 18d. per member per week, about 12d. of which was spent on bread. Meat, usually bacon, accounted for less than 2d. per week, with the remaining 4d. spread thinly across cheese, butter, milk, tea and sugar.⁷⁰ The workhouse dietary, nutritionally, was not as bad therefore, as it might seem – apart from the lack of vitamin C.

Life cannot have been pleasant for children in the workhouse, although the dietary may well have been sufficient. It was all too common for children to be ordered into the workhouse though there were exceptions, and they were prone to being punished for infringement of the rules. However, they obtained a rudimentary education.

⁶⁸ L. Smith, S.J. Thornton, J. Reinartz, and A. N. Williams 'Please, sir, I want some more', *British Medical Journal*, **337**, December 18th 2008.

⁶⁹ Department of Health, 'Dietary Reference Values for Food Energy and Nutrients for the United Kingdom ', Report on Health and Social Subjects, 41, 1991.

⁷⁰ Emma Griffin, 'Diets, Hunger and Living Standards During the British Industrial Revolution', *Past & Present* 239, no. 1 (2018).

4.4 Education

At least one school was established in Cleobury Mortimer in the early eighteenth century, in which by 1783 ‘young gentlemen were boarded and carefully instructed’ in an ambitious syllabus.⁷¹ In Hopton Wafers, a school was set up in a house provided for the purpose by Thomas Botfield who left £1000 as an endowment for the education of poor boys and girls between the ages of 8 and 12 in the parishes of Hopton Wafers, Coreley and Farlow.⁷² In Neen Savage, a school was established in 1820 for the boarding and education of twelve poor boys.⁷³ Prior to 1834, education provision was patchy – either private enterprise, formed under the auspices of the SPCK,⁷⁴ provided for by the parish, or in Cleobury Mortimer, undertaken by the curate. The new poor law provided for obligatory schooling of children *in the workhouse*, but this was not a priority for the guardians. When the workhouse was first acquired by the union, there were no able-bodied paupers in residence. So, the guardians proposed that the rooms be changed around and the school room be completely refurbished to be used as a guardians’ meeting room.⁷⁵

In her thesis, Janet Livingstone covers the story of the industrial school at Quatt, formerly the workhouse school serving Bridgnorth, which in 1851 became the south-east district school serving the unions of Bridgnorth, Madeley, Cleobury Mortimer and the Gloucestershire union of Seisdon:⁷⁶ it was one of only three in the country at the time.⁷⁷ She

⁷¹ Revd. A. Perfect, ‘Some Notes on the Early History of Lacon Childe School’, *Cleobury Chronicles* 5 (1999). The head, Mr Samuel Gittins, issued a brochure which stated that ‘Young gentlemen are boarded and instructed in the English, Latin and Greek languages, also in Penmanship, Arithmetic, Merchant’s accompts, vulgar and decimal fractions, extraction of roots, mensuration of artificer’s works, geometry, planimetry, stereometry, gauging, surveying of lands, logarithmetical arithmetic, planar & spherical geometry, altimetry, longimetry, dialling, navigation, algebra, etc’.

⁷² Revd. James Payton, ‘Hopton Wafers’, *Transactions of the Shropshire Archaeological and Historical Society* 32 (1909), p.266. There is also evidence of a church school from the early 1800s.

⁷³ TNA ED 49/6377 *Neen Savage, Edwards and Hinckesman’s Foundation*.

⁷⁴ The Society for the Promotion of Christian Knowledge, founded in 1698, by Thomas Bray, was responsible for creating many charity schools for poor children aged seven to eleven.

⁷⁵ SA PL5/1.

⁷⁶ Livingstone, ‘Pauper Education in Victorian England’, pp.190-209.

points to the difficulties elsewhere of establishing district schools due to cost, loss of control and an unwillingness to educate the children of the undeserving poor. The Cleobury Mortimer guardians, however, were wholly in favour and willing to commit £300 to its establishment. The report produced by one of the guardians, W. L. Jones, gave as clear reasons for acceptance the potential for severing links with pauperism:

... if by any measure of this kind you can disassociate the pauper children at an early age from the Workhouse, you strike at the root of the evil, and destroy what I should call continuous and hereditary pauperism which is at present a great source of misery and crime...remember that you are guardians and stand in the relation of Parents to the Children who are from time to time committed to your care. You have now an opportunity of unity with other Unions for the welfare of our pauper children and I should strongly urge you to concur with this movement ...⁷⁸

Attention was drawn to the merits of the system at Quatt by the Poor Law Board in an official circular to other union guardians throughout the country,⁷⁹ though it must be said the 'facts' were written by the headmaster, Henry Garland. Quite early on, the Poor Law Commissioners had noted that the success of education was measured by consequent employment.⁸⁰ Later, Garland was able to impress Jelinger Symons, the schools' inspector, with details of how sixty-nine pupils went on to respectable employment or married in good circumstances.⁸¹

⁷⁷ *Report from the Select Committee on Criminal and Destitute Children; Together with the Proceedings of the Committee, Minutes of Evidence, and Appendix.*, (674 674-1), 1852-53, p.227. The others were at Reading and Farnham.

⁷⁸ TNA MH 12/9853 W.L.Jones to Cleobury Mortimer Union, Feb. 12 1849 (*copy*), *Bridgnorth Union Correspondence, 1847-1850*.

⁷⁹ Poor Law Board, 'Some Facts Respecting the Farm-School of the Bridgnorth Union at Quatt, Salop', Official Circular of Public Documents and Information, 18 & 19, Education, September and October, 1849, pp.276-77.

⁸⁰ *Fifth Annual Report of the Poor Law Commissioners. With Appendices.*, (239), 1839, p.13.

⁸¹ Jelinger Symons, General Report for 1854, *Minutes of the Committee of Council on Education; Schools of Parochial Unions in England and Wales. With Reports by Her Majesty's Inspectors of Schools. 1854-5.*, [1954], 1854-55, p.160.

Table 13 - Young persons in Shropshire workhouse schools for at least two years 1850-1860 who left for service or other industrial occupation and who returned to the workhouse

	Males	Females	Males	Females
Total returning	47	57	20.3 percent	29.2 percent
of which those returning by their own misconduct	27	30	42.6 percent of total	52.6 percent of total

As *Table 13* shows, the number of those returning was high, though Shropshire was the fifth highest for boys and eleventh for girls.⁸² For the district school, the same return shows 18.8 percent of boys returning (one-third for misconduct) and 30 percent of girls (one-half for misconduct).⁸³ Despite Garland's endorsement, not everyone was satisfied – and as ever, the initial issue was cost. Livingstone relates how the Madeley Union was aggrieved at the way in which costs were calculated according to union population, rather than on the number of children attending the school. According to calculations by Jeff Sumbler, Madeley was contributing 37.6 percent of the total cost, based on population, as opposed to 19.1 percent based on pupil numbers.⁸⁴ The issue was not resolved, though Madeley continued to send almost all its children there.

The Cleobury Mortimer guardians were at a small advantage – they were contributing 15.4 percent of the cost in contrast to a potential 19.7 percent. But some eight years later the Cleobury Mortimer guardians petitioned the Poor Law Board to withdraw from the school district and educate children in the workhouse.⁸⁵ In the opinion of the majority of the guardians, it was felt that not only had the expected advantages to the children not been realised, but also the costs to the union had risen considerably. They quoted costs of £17 11s.

⁸² *Return of Number of Young Persons in Workhouse and District Schools in England and Wales Who Left for Service or Industrial Occupation, 1851-60*, [496], 1861, p.2.

⁸³ These numbers are much higher than those suggested by Garland in 1854, when he names sixty-nine children over 3 to 4 years. The 1861 report shows 124 children over 10 years.

⁸⁴ Sumbler, 'Child Poverty in Victorian Shropshire: Children and the Shropshire Poor Law Unions 1834-1870', pp.189-90. Sumbler appears to use two different bases of calculation and his figures are taken at face value.

⁸⁵ SA PL5/12, September 13th 1858.

3d. per annum for each child in the school and compared it with £8 11s 2d in the workhouse and complained that the difference was not compensated by the education afforded. Henry Garland, the schoolmaster, was being paid £85 per annum plus another £40 as superintendent and his wife as matron. The assistant schoolmaster who, it was noted, was married to Garland's daughter was being paid £55 and another schoolmistress £30. With housekeeping and servants' costs, the total was over £440 a year.⁸⁶ Whilst awaiting a response from the PLB, the guardians withdrew the children. The poor law inspector, Doyle, noted drily on his visit in November that he 'merely observed that the children having been removed from the Quatt school the arrangements for their education are very defective'.⁸⁷ The guardians had not advised the PLB of their action. In their response, the school managers refuted the cost figures, which they put closer to £12 16s.⁸⁸ Not knowing the facts on which the guardians based their claim regarding the education of the children, they were unable to comment, but maintained that children were being placed in good positions on leaving, as well as being imbued with religious, moral, honest and industrious principles with the consequent suppression of crime and pauperism itself. They drew the attention of the PLB to various recent reports by school inspector Symons.

Doyle produced a special report on the matter and was forthright in his comments.⁸⁹ In his view, the situation arose from a spirit of opposition to the *ex officio* guardians on the part of the elected ones. This may have been true. The *ex officio* guardians had produced their own amendment to the motion to withdraw, praising the potentially useful character of the institution, which was well adapted to eradicate pauperism and insisting that the *status*

⁸⁶ Idem. September 27th 1858.

⁸⁷ TNA MH 12/9885 Poor Law Inspector's Report, *Correspondence*, November 22nd 1859 .

⁸⁸ TNA MH 12/9885 Report of the managers of the south-east district school to the Poor Law Board, *Correspondence*, December 1859.

⁸⁹ TNA MH 12/9885 Report of Andrew Doyle, Poor Law Inspector regarding Cleobury Mortimer Union memorial to withdraw from the south-east school district, *Correspondence*, December 4th 1859 .

quo should be maintained.⁹⁰ Doyle put the opposition down to guardian Henry Backhouse, a farmer and auctioneer, describing him as ‘an ignorant, violent and very unscrupulous person’, with considerable influence over other farmers. He wrote that Backhouse had claimed that two of the children put out to service had been dismissed for dishonesty and that children at the school were being taught ‘music and dancing’. Doyle attended a guardians’ meeting and tried to give explanations to satisfy their concerns, but to no avail. The outcome was that Sir Edward Blount and Charles Wickstead resigned, Blount as chairman after twenty-two years, and the other *ex officio* guardians refused to attend any other meetings of the board. Shelley Obermann offers several examples of how *ex officio* guardians had a positive impact on education, so this was a negative outcome.⁹¹

Unfortunately for the guardians, not only was it pointed out that the board had no power to permit withdrawal, but the union would remain responsible for the establishment charges of the school. Taking account of those, Doyle made it clear that the guardians were not comparing like with like and would only make savings if the maintenance and clothing costs at the workhouse were less than those of the school. Using his own figures, *Table 14* shows Doyle’s comparative costs:

Table 14 - Comparative costs per head of school vs workhouse

Half year to	Workhouse	School
Lady Day 1856	3s 7¾d	3s 0¼d
Michaelmas 1857	3s 7¾d	3s 0¾d
Lady Day 1857	3s 6d	2s 11d

The guardians were also reminded that the repayment of the wages of the schoolmistress for those children whom it was impractical to send to the district school would be in jeopardy, as a more qualified teacher would be required for the whole of the children and wages would not

⁹⁰ SA PL5/12, September 13th 1859.

⁹¹ Shelley Obermann, 'The Education of Children in Poor Law Institutions in England and Wales During the Period 1834-1870' (unpublished PhD thesis, Queen's University of Belfast, 1982), p.63.

be met from the parliamentary grant. Despite entreaties and the visit report of Doyle who stated the arrangements for their ‘education at the workhouse were very defective’,⁹² the children remained removed, though Symons reported that they were well instructed and did not seem to have ‘retrograded’.⁹³ Two years earlier, Symons agreed that Mrs Jones, the workhouse teacher, was doing justice to the children – the needlework was good, though the boys could be more employed in digging and garden work, with proper tools. Boys over the age of 9 could do a great deal of work and ‘three and a half hours in school is enough’,⁹⁴ though he now lamented that the needlework was mostly mending, and he found no industrial work for the boys. But the guardians expressed themselves well satisfied with Mrs Jones: their opinion was that it was unnecessary ‘to teach the male pauper children beyond reading, writing and arithmetic and that up to the age of 12 years at which time they should be placed out in situations consistent with their future prospects in life’. This may have been an enlightened view. Evidence given to the Newcastle Committee suggested that in some unions it was difficult to ‘persuade farming guardians to allow the pauper children even to be taught to write’.⁹⁵ There had been arguments that teaching writing would lead to forgery, but these were discounted;⁹⁶ it was more likely to be cost-related.

William Lacon Childe, guardian and former chairman, wrote to Doyle that the elected guardians, mostly farmers, objected to the school at Quatt as ‘such education is too good for

⁹² TNA MH 12/9885 Andrew Doyle, Workhouse visit report, *Correspondence*, November 22nd 1858.

⁹³ TNA MH 12/9885 Report of Jelinger Symons, school inspector, *Correspondence*, March 22nd 1859.

⁹⁴ TNA MH 12/9885 Jelinger Symons, visit report March 1st 1856 quoted in (copy) minute, *Correspondence*, April 11th 1859.

⁹⁵ *Education Commission. Report of the Commissioners Appointed to Inquire into the State of Popular Education in England*, (2794), 1861 vol. vi., p. 373. The evidence was from James Kay-Shuttleworth, former assistant poor law commissioner. In her thesis (p.7), Livingstone states that he was quite wrong to make the claim, though without providing any support for her argument.

⁹⁶ Thomas Pole, *A History of the Origin and Progress of Adult Schools: With an Account of Some of the Beneficial Effects Already Produced on the Moral Character of the Labouring Poor; Also, Considerations on the Important Advantages They Are Likely to Be Productive of to Society at Large; with an Appendix, Containing Rules for the Government of Adult School Societies, and for the Organization of the Schools, &c., &c* (Bristol, 1814), pp.62-3; George C.T. Bartley, *The Schools for the People, Containing the History, Development and Preent Working of Each Description of English School for the Industrial and Poorer Classes* (London: Bell & Daldy, 1871), pp.372-373.

pauper children, & better than they can provide for their own'.⁹⁷ This negative view of education for the poor had been present for some time. In 1840, Edward Twistleton, poor law commissioner for the eastern district had written: 'Small farmers, and many of the gentry, have a decided repugnance to educating the poor ... The expense is the point on which everything will turn'.⁹⁸ There was a definite financial aspect to opposition, but there was also a class dimension. The system of education in England had developed along class lines.⁹⁹ The prevailing attitude of the controlling classes was that mass education – anything more than reading, which enabled appreciation of the Scriptures – would, according a contemporary justice of the peace, produce in the poor a 'disrelish for the laborious occupations of life' or worse. In the view of Davies Giddy MP, 'giving education to the labouring classes of the poor ... would ... be prejudicial to their morals and happiness; it would teach them to despise their lot in life ... instead of teaching them the virtue of subordination ...'.¹⁰⁰

Eventually, the PLB agreed to an independent examination of the costs by the guardians. The auditor found little difference in the maintenance costs (the establishment costs were disregarded as they had to be paid anyway) and the children were returned to Quatt.¹⁰¹ A major factor, though, was the loss of the funding for Mrs Jones; it was felt that her services could be dispensed with, therefore saving both her salary and her rations, which

⁹⁷ TNA MH 12/9885 William Lacon Childe to Andrew Doyle, poor law inspector, *Correspondence*, May 13th 1859; the objections of farmers to the costs of the school at Quatt are given further discussion in an article on the 1861 education commission report (fn. 95) in 'Art. VII', pp.492-3.

⁹⁸ TNA MH 32/72 Edward Twistleton to the Poor Law commission, *Correspondence and papers relating to the Eastern District*, March 24th 1840.

⁹⁹ For a discussion, see W.E. Marsden, *Unequal Educational Provision in England and Wales: The Nineteenth-Century Roots* (London: Woburn Press, 1987).

¹⁰⁰ *Remarks Upon a Bill (as Amended by the Committee) 'for Promoting and Encouraging of Industry Amongst the Labouring Classes of the Community, and for the Relief and Regulation of the Necessitous and Criminal Poor. Ordered to Be Printed, 24th February 1807'*, (London: Rivingtons, 1807); Davies Giddy MP in House of Commons Sitting July 13th *Hansard Parliamentary Debates, First Series, Vol.9*, 1807 c. 798.

¹⁰¹ TNA MH 12/9885 Internal minute, *Correspondence*, May 19th 1860; SA PL5/13 *Guardians' Minutes, Minute Book N*, December 3rd 1860.

became an immediate problem when mothers refused to send their children to Quatt.¹⁰² Sadly, after serving the children for twenty-two years, Mrs Jones did not fare well. After she retired, a rule came in permitting pensions to be paid but the guardians, backed by the Poor Law Board, decided that as she had retired before the rule, she was not eligible.¹⁰³ No replacement was hired and when the inspector visited in December 1866, there were thirteen children in the workhouse over the age of 5, whose mothers refused to allow them to be sent to Quatt.¹⁰⁴ When the Earl of Devon proposed a new poor law amendment act in 1868,¹⁰⁵ the guardians petitioned the PLB to have powers added to compel children to go to the district school. This was specifically forbidden by an earlier act.¹⁰⁶ By 1869, the number of children over the age of five in the workhouse had increased from thirteen to twenty-nine and the guardians were relying on the unpaid services of the 18-year-old niece of the Master who had come to stay with him. The guardians wrote again to the PLB seeking an amendment to the law.¹⁰⁷

This problem of mothers refusing to allow their children to go to Quatt had been ongoing since at least 1851, only a year or so after the school district was formed.¹⁰⁸ Doyle had been keen that the workhouse school stayed open to meet just this eventuality and had obtained the agreement of the PLB and funding for a teacher. There was no easy solution to the problem. The PLB confirmed there was no legal power to force mothers to allow their

¹⁰² Soon after the workhouse school was closed, Doyle noted that one child had been withheld – the mother refusing to stay in the workhouse without him and asking for outdoor relief instead. TNA Visit report, *Correspondence*, MH 12/9886 December 2nd 1864.

¹⁰³ TNA MH 12/9886 Letter to the PLB and reply, *Correspondence*, March 6th 1865.

¹⁰⁴ TNA MH 12/9886 Inspector's visit to workhouse, *Correspondence*, December 3rd 1866.

¹⁰⁵ Later passed as 31 & 32 Vict. c.122 *An Act to make further amendments in the laws for the relief of the poor in England and Wales*, 1868.

¹⁰⁶ 25 & 26 Vict. c.43 *An act to provide for the Education and Maintenance of Pauper Children in certain Schools and Institutions*, s.6-7 1862, which restated the provisions of *An Act for the further amendment of the Laws relating to the Poor in England*, 1844, 7 & 8 Vict. c.101, s.51.

¹⁰⁷ TNA MH 12/9886 Adam Trow, clerk to the guardians, to PLB, *Correspondence*, January 8th 1869. An annotation queries whether parliament would consent and concludes it probably would.

¹⁰⁸ TNA MH 12/9885 Letter to Poor Law Board, *Correspondence*, October 8th 1851.

children to attend, only that the guardians should do their utmost to persuade them of the benefits. The situation continued until the guardians were allowed to dispense with parental consent. Although education was not made compulsory until 1880,¹⁰⁹ almost twenty years after the commission of enquiry, in which the minority report held that ‘Government has, ordinarily speaking, no educational duties’,¹¹⁰ a provision in the 1870 act allowed parents to be required to allow children to attend school.¹¹¹ At the time of the commission report, 1861, around three-quarters were in denominational schools, although only about 13.5 percent of all children remained at school beyond twelve years of age and half of those in denominational schools attended for less than one hundred days in a year, hardly receiving a serviceable amount of education. Just over one-quarter were in private schools (eg ‘dame’ schools), but these were found to be ‘inferior as schools for the poor, and ill-calculated to give to the children an education which shall be serviceable to them in after-life’.¹¹²

Children in the workhouse, whilst inmates, had to attend school but as Doyle pointed out, ‘when a parent applies to quit a workhouse ... guardians cannot determine that it is better for the child to remain another year at school’. It was not until 1855 that guardians were permitted to pay for the education of children out of the workhouse.¹¹³ It was a discretionary power, though, and not one regularly exercised: in an 1857 return, none were so educated in Cleobury Mortimer.¹¹⁴ In 1864, Doyle noted in his visit report the case of a mother who

¹⁰⁹ *An Act to make further provision as to Byelaws respecting the attendance of Children at School under the Elementary Education Acts.*, 1880, 43 & 44 Vict. c.23.

¹¹⁰ *Report of the commissioners appointed to inquire into the state of popular education in England* Two other enquiries were held: the Clarendon Commission. 1861-64, resulting in the 31 & 32 Vict. c.118 *Public Schools Act*, 1868; and the Taunton Commission, 1864-68, from which arose the 32 & 33 Vict. c.56n*Endowed Schools Act*, 1869.

¹¹¹ 33 & 34 Vict. c.75 *An Act to provide for elementary education in England and Wales*, s.74, 1870 .

¹¹² *Report of the commissioners appointed to inquire into the state of popular education in England*.

¹¹³ 18 & 19 Vict. c.34 *An Act to provide for the Education of Children in the Receipt of Out-door Relief*, 1855.

¹¹⁴ *Return of the Number of Children Who Are Now Provided with Education by Aid Afforded by the Guardians of Unions to Their Parents, According to the Provisions of the Act 18 & 19 Vict. c. 34; and of the Number of Children Who Have Been Relieved out of the Workhouse, Having Been Deserted, or Who, Being Orphans, Have Relief Granted for the Purposes of Education, Together with the Cost of Relief So Given in Each Union, &C*, [313], 1857 (2) In Shropshire the total was 84 children at a total cost of £16 14s 5d. .

refused to allow her illegitimate son to attend Quatt as ‘she could not part with him’. She subsequently said, however, that she would allow him to go if she received outdoor relief.¹¹⁵ Sometimes, though, the guardians took the initiative. In 1851, Sarah Hopkins left Neen Savage at the age of 18 to live as a servant with her uncle, named Kitson, in Bridgnorth. He seduced her and she was persuaded to stay with him, living as his wife until he died ten years later. By that time she had five children and was destitute. She was removed to Neen Savage and admitted to the workhouse. One child died, and the eldest girl went into service. The two other girls were sent to the school at Quatt and she was left with her son in the workhouse, which she hated. She wanted to leave, but that would mean that the girls would be taken out of the school. The guardians wrote at length to the Poor Law Board and applied successfully for special sanction to allow them to pay her out-relief and keep the girls at school, permitting her to leave the workhouse.¹¹⁶

Education of the children of the poor was a contentious issue amongst farmers on the board of guardians. However, a lucky few were sent to Quatt and for them, by all accounts, there was an improvement in their lot in life. For those left in the workhouse, education, though obligatory, was rudimentary. Despite criticisms by the inspectors, the guardians expressed themselves content with the services of Mrs Jones, their teacher of twenty-two years, but revealed their dismissive attitude in refusing her a pension.

¹¹⁵ TNA MH 12/9886 Andrew Doyle, visit report, *Correspondence*, December 2nd 1864. There are no records to say what happened.

¹¹⁶ TNA MH 12/9886 Letter from the guardians to the PLB, *Correspondence*, March 8th 1866 and reply March 20th 1866.

4.5 Apprenticeships

Oliver Twist was apprenticed to an undertaker, narrowly missing a (possibly short) career as a chimney sweep.¹¹⁷ For the children of the poor in the Cleobury Mortimer workhouse, opportunities were generally limited to husbandry or housewifery as mandated by the Elizabethan acts, which were only repealed in 1813.¹¹⁸ Like Oliver, the apprenticeship was compulsory, often from the age of seven, usually accompanied by a payment – initially two pounds, rising to five pounds.¹¹⁹ A total of 154 indentures survive,¹²⁰ though there were undoubtedly many more apprentices: the vestry minutes record many names for which there is no indenture, suggesting that there were at least twice that number. Of the 154, only ten are for trades other than husbandry or midwifery. This can be contrasted with those who voluntarily entered into apprenticeships where records show a variety of trades: attorney, blacksmith, butcher, carpenter, clockmaker, cordwainer, currier, grocer, mantuamaker, mercer, paper maker, plumber, sadler, staymaker, taylor and watchmaker.¹²¹

These parish poor were apprenticed to ratepayers, though they were not always local. For many children, apprenticeship meant not seeing their parents for some time, or ever. Concerns over this practice were eventually dealt with in legislation.¹²² Although Cleobury Mortimer children were in the main placed locally, a few were sent to Bilston, near Wolverhampton, though not as many as in the mid-seventeenth century, when William Ames, a bucklemaker, took seven for which there is no obvious explanation. For the most part, the

¹¹⁷ Dickens, *Oliver Twist* Mr Gamfield, the sweep, who has been offered £3 10s. to take Oliver, is thwarted by the magistrate who declines to sign the indenture. He is eventually apprenticed to Mr Sowerby, the undertaker, who receives £5.

¹¹⁸ 5 Eliz. I c.4 *An Act containing diverse Orders for Artificers, Labourers, Servants of Husbandry and Apprentices*, 1562.; 39 Eliz. I c.3.

¹¹⁹ For example, SA P82/L/1/1 *Coreley Parish Records*, Overseers Accounts, September 1st 1811.

¹²⁰ SA P71/L/16 *Cleobury Mortimer Parish Records, Apprenticeship Indentures*, (for the period 1770 – 1828).

¹²¹ TNA IR 1 Register of Duties Paid for Apprentices' Indentures, 1710-1811 [spellings as listed] Relevant records cover the period 1770 - 1807.

¹²² 56 Geo. 3 c.139 *An Act to regulate the binding of Parish Apprentices*, 1816.

system worked as a lottery. The pattern of names appearing in the vestry minutes suggests that ratepayers were selected in some form of rotation and then all, or most, were allocated a child (or two) at the following vestry meeting. Ratepayers could not refuse taking apprentices,¹²³ and for some it must have been worth their while as their names recur frequently in the minutes, for long periods of up to fifteen years or more.

When the new poor law was enacted, the Poor Law Commissioners made an order that those taking apprentices had to be householders.¹²⁴ Sometimes that got in the way of an apparently good opportunity for a child. Samuel Reynolds, a poor boy from Cleobury with a deformed spine, was selected to be apprenticed to John Manning, tailor, from Stourbridge, who had requested an apprentice.¹²⁵ Both boy and master had appeared ‘entirely satisfied with each other’, but although Manning was in business on his own account, he lodged with his parents and an opportunity was lost.¹²⁶ The Commissioners were firm: only the Secretary of State could override the requirement, which was undoubtedly appropriate, and there was no strong case for appeal. Reynolds, aged 16, was not apprenticed and was instead given 2s. per week

Keith Snell states that whilst there was occasional mistreatment of parish apprentices, the parish authorities generally took obvious care and checked the suitability of prospective masters and mistresses.¹²⁷ This view is countered, for example, by Gregory Durston who thought that apprentices were particularly vulnerable.¹²⁸ In 1812, John Butcher who had been removed with his father to Hopton Wafers, from Pensax in Worcestershire, was living in

¹²³ 8 & 9 Will. 3 c.30 *An Act for supplying some Defects in the Laws for the Relief of the Poor of this Kingdom*, 1696.

¹²⁴ Poor Law Commissioners, *General Order of the Poor Law Commissioners Setting out Rules and Regulations in Regard to the Apprenticing of Poor Children by the Guardians of the Poor*, London, December 31st 1844.

¹²⁵ TNA MH 12/9882 Letter from the guardians and response, *Correspondence*, April 14th & 22nd 1845.

¹²⁶ Poor Law Commissioners, *Apprenticeship Order*, December 31st 1844, provided that no child could be bound to a person who was not a house-keeper or assessor to the poor rate in his own name.

¹²⁷ Snell, *Annals of the Labouring Poor*, p.284.

¹²⁸ Gregory J. Durston, *Fields, Fens and Felonies: Crime and Justice in Eighteenth-Century East Anglia* (Hook, Hants: Waterside Press, 2016), p.524.

Mamble where he was examined as to his place of settlement.¹²⁹ His father was in receipt of relief. Butcher was 8 years old and he had been apprenticed to Thomas Penny of Hopton Wafers, but was ill-treated. He went before the magistrate who ordered that the master pay a weekly sum to Butcher's parents with whom he continued to live until he was fifteen and then went off without consent to lodge and work at Whatehall Colliery at Mamble. By 1812 he was married with four children. He no longer considered Thomas Penny, who had not 'intermeddled with or interrupted him', as his master and though he had not done anything to gain a settlement was still living as a coal miner in Mamble thirty years later.¹³⁰

Yet another insight into the thinking of the guardians in Cleobury was their habit of providing clothes to orphans and children of widows leaving the workhouse to go into service.¹³¹ Unlike the resentment harboured by farming guardians over educating the poor, they viewed this as beneficial to both recipient and ratepayer, and were careful to make inquiries into the character of the master or employer. When they requested sanction from the PLB, the response was that it should be disallowed against the poor rate except in the case of necessity for children educated in the workhouse. In the PLB's view, such expense was a form of relief in aid of wages and put those children in a better position to obtain positions than the children of independent labourers. The guardians had raised the query after a move by the district auditor. The practice of providing clothing was well established in the area, from at least the late 1700s onwards, but the PLB left an opening to seek approval in each case in the future.

¹²⁹ WAAS b850MAMBLE/9659 *Settlement examinations*.

¹³⁰ TNA HO 107/1193/11841 *Census*.

¹³¹ For example, when Ann Charles, 14, of Hopton Wafers was discharged, 15s was ordered for clothes, 'she to be servant to Samuel Potter for one year'. SA PL5/2, April 2nd 1838; the guardians decided that Mary Ann Corfield, 9yo, of Hopton Wafers, could go to service if she had a pair of shoes. The relieving officer was to procure a pair and discontinue relief as soon as she had gone to a situation. *Idem*. June 3rd 1839.

There is something redolent of a human auction in the way children were allocated to their new ‘masters’, but only the one example of ill-treatment is recorded. The overseers seem to have taken the process seriously and, although it is difficult to escape the image of ‘indentured servants’, it may have been a better life than the workhouse or living in poverty.

4.6 Illness

Reports from the period show that ‘sore eyes’ was a common complaint.¹³² In 1847, the PLC drew the guardians’ attention to a recent workhouse visit report which reported that eye complaints had been prevalent among the children. This had also been reported on more than once by the visiting committee in 1846. It was thought to be due to a digestive imbalance; bad living conditions and lack of pure air were the cause.¹³³ Likely to have been a form of infective conjunctivitis with a bacterial origin,¹³⁴ it occurred in closely populated communities such as workhouses, but also in army barracks and paediatric hospitals. Thinking on treatment varied wildly. In a lecture in 1853, Henry Hancock reinforced the idea of digestive imbalance being the cause.¹³⁵ Some medical men recommended the initial use of strong emetics with a starvation diet, though most recommended extra protein. The medical officer, Mr Whitcombe, was of the opinion that the eye complaints were due to an insufficiency of ‘animal food’ and ordered not less than four ounces of cooked meat, three times per week for children from age 9 to 16. The guardians sought sanction from the PLC but received no response. They wrote again two months later saying that any change in the dietary was not

¹³² For example: *Report from the Select Committee of the House of Lords Appointed to Examine into the Several Cases Alluded to in Certain Papers Respecting the Operation of the Poor Law Amendment Act (719) (719-II)*, 1837-38, p.955 et seq.; *Appendices B. to F. to the Eighth Annual Report of the Poor Law Commissioners*, [399], 1842 p.343; Sir William Lawrence, *A Treatise on Diseases of the Eye*, Philadelphia: Lea & Blanchard ed. (London, 1843), p.231; ‘On the Ophthalmia in the Belgian Army’, *Medico-Chirurgical Review* LXV (1840), pp.207-9; ‘On the Prurient Ophthalmia of Children’, *Medico-Chirurgical Review* LXV (1840), pp.209-11.

¹³³ Henry Hancock, ‘Lectures on Remittent Ophthalmia or Those Diseases of the Eye of Children Commonly Designated ‘Strumous Ophthalmia’’, *The Lancet* II (1853).

¹³⁴ Dr Kimberley Hodge, FRCA RAF, e-mail message to author, April 7th 2016.

¹³⁵ Hancock, ‘Lectures on Remittent Ophthalmia or Those Diseases of the Eye of Children Commonly Designated ‘Strumous Ophthalmia’.

intended to be permanent, but a temporary expedient applying solely to children suffering from sore eyes. They made it clear that they would not interfere with the medical officer's directions and that they were, in any case, permitted this course by article 17 of the workhouse rules.¹³⁶ They were surprised to be taken to task six months later by the PLC regarding the prevalence of eye-complaints and tersely referred the commissioners to their earlier letters.¹³⁷ There is no record of whether the additional animal protein worked, but outbreaks continued. The children may be considered lucky, provided they were first spared the recommended initial use of strong emetics, and avoided the opposite course of a diet of bread and gruel only. The favoured alternatives of direct application of nitrate of silver (which could cause the eyeball to rupture); the direct application of leeches; or the use of mercury, zinc or lead orally, opium and inhalation of ether do not appear in the Cleobury records.¹³⁸

In the eighteenth century, smallpox was probably the most lethal disease in England and children were very susceptible; although there were periodic outbreaks in the area (eg in 1795 and 1822), none of them were major and inoculation of the poor was regularly ordered, before compulsory vaccination of children in 1853.¹³⁹ Typhus fever also reared its head (eg an outbreak in 1819), along with Asiatic cholera (1848) and scarlet fever (1804).¹⁴⁰ Although the records regularly mention illness and its treatment, it is rare to find details: it would be

¹³⁶ SA PL5/77 *Letter Book (1844-1848)*, August 21st and October 6th 1846 ; TNA MH 12/9882 *Correspondence*.

¹³⁷ TNA MH 12/9883 *Correspondence*, April 9th 1847, April 21st 1847.

¹³⁸ J. Walker, 'Chronic Ophthalmia', *Boston Medical and Surgical Journal* XXII, no. 9 (1840), p.134;

'Ophthalmic Report (Continued)', *New York Medico-Chirurgical Bulletin* I, no. 4 (1831), p.170.

¹³⁹ For example, 'such Paupers Residing in the Alley behind Benj^m. Green and Tenants to Will^m. Bevan and have not had the Smallpox shall Immediately be Inoculated at the Parish Expense and likewise such other Paupers in the Town as the Town Overseer shall think proper': SA P71/C/1/1 *Cleobury Mortimer Vestry Minutes*, June 19th 1785; '... agreed to allow Mr Jones Surgeon two Pounds to vaccinate all the pauper Children of this Parish': Idem. P71/C/1/2 July 25th 1827; *An Act further to extend and make compulsory the Practice of Vaccination*, 1853, 16 & 17 Vict. c.100.

¹⁴⁰ SA P71/C/1/2 *Select Vestry Minute Book*, August 1st 1819; TNA MH 12/9883 *Correspondence*, October 28th 1848; SA P150/A/1/3 *Kinlet Register of Baptisms and Burials (1755-1812)*.

interesting to have known what ailed John Price's son in 1785, when Mr. Bray was paid £6 16s. to treat him.¹⁴¹

4.7 Criminal behaviour

Criminal statistics for the period are notoriously unreliable.¹⁴² However, historians, such as Peter King, accept that there was a rise in juvenile delinquency from the 1780s to the 1830s, by which time it was a major social problem.¹⁴³ Vic Gatrell and Tom Hadden suggest that 11.5 percent of indictable crimes were committed by children in 1834-41.¹⁴⁴ For the Cleobury Mortimer area, from the late 1780s throughout the nineteenth century, the figure was very low at just under 4 percent,¹⁴⁵ but the available records do give an insight into the crimes committed by children.¹⁴⁶ Almost half of those uncovered were committed in concert with an adult, often an older brother or sister, sometimes a parent. Apart from a few cases of arson (such as an incendiary spree by an 8-year-old), most were theft from households of clothing, money and food. According to David Philips, who researched nineteenth-century crime in the Black Country, theft of food was not committed by starving people, but was often the result of deliberate planning. He also found, perhaps surprisingly, that hunger was rarely used as a defence.¹⁴⁷ These views are reinforced by the types of crime committed by children in the Cleobury area, which are in the main of items with a resale value. Many convicted criminals, including children, reoffended and suffered the consequences of very harsh

¹⁴¹ SA P17/L/1/1 *Aston Botterell Overseers' Accounts*, half-year ending September 1785.

¹⁴² John Walliss, 'Lies, Damned Lies and Statistics? Nineteenth Century Crime Statistics for England and Wales as a Historical Source', *History Compass* 10, no. 8 (2012).

¹⁴³ Peter King, 'The Rise of Juvenile Delinquency in England 1780-1840: Changing Patterns of Perception and Prosecution', *Past & Present*, no. 160 (1998); V.A.C. Gatrell and T.B. Hadden, 'Criminal Statistics and Their Interpretation', in *Nineteenth-Century Society: Essays in the Use of Quantitative Methods for the Study of Social Data*, ed. E.A. Wrigley (Cambridge: Cambridge University Press, 1972).

¹⁴⁴ 'Criminal Statistics and Their Interpretation', p.384. Statistics for the following period are not directly comparable.

¹⁴⁵ This figure is obtained from an analysis of prison calendars. There are gaps and they only cover assize courts.

¹⁴⁶ SA QS/10/1-10 *Assize and County Quarter Session Records, Calendars of Prisoners*.

¹⁴⁷ David Philips, *Crime and Authority in Victorian England: The Black Country, 1835-1860* (London : Totowa, N.J: Croom Helm; Rowman and Littlefield, 1977), pp.201, 203.

treatment. Louisa Passey had been sentenced to three weeks, aged 12, for stealing a cloak: three years later she was transported for three years for theft of an apron and dress.¹⁴⁸ Only a year after 15-year-old William Jordan escaped punishment for receiving a quantity of stolen goods, he was transported with his 13-year-old brother for seven years for theft of some horse gearing.¹⁴⁹

Hannah Welsbury was ordered into the workhouse at the age of 12 in 1841, having no place of residence, although she had been living with an elderly couple earlier in the year.¹⁵⁰ She had been born illegitimate in 1828, her mother living in the Kinlet poor house. Six years after entering the workhouse, she was sentenced to eight months labour at Worcester, for larceny as a servant.¹⁵¹ There is no further trace of her, so it is not known whether she made any progress in life, or was doomed to crime and poverty.

A scan of the calendars of prisoners suggests that people were stealing food and clothes due to want. Whilst the evidence of theft due to deprivation, not necessarily starvation, is circumstantial, it is compelling. Crimes committed by children, which accounted for less than 5 percent of the total, appear to be more enterprising than driven by deprivation, even though two-thirds of those were found guilty and served up to six months in prison with whipping as an extra punishment.

4.8 Conclusions

The impotent poor were defined as ‘the diseased, the aged, and orphan and deserted children’, to whom were added bastards,¹⁵² but it was not only the deserted and orphan children who were impotent, but also children in families affected by poverty – few children were able to

¹⁴⁸ SA QS/10/9, QS10/10 *Calendars of Prisoners*.

¹⁴⁹ Idem. QS/10/6.

¹⁵⁰ SA PL5/4, October 18th 1841; GRO 1841 *Census* HO 107/922/16 – living with Francis and Ann Pitt of Button Bridge, both aged 75.

¹⁵¹ TNA HO27/83 386 *Criminal Registers, England and Wales*.

¹⁵² PLR Supplement, No.3 Instructions to Assistant Commissioners, p.249.

take any control of their destiny. *Oliver Twist* set off in search of his fortune,¹⁵³ but although there are records of children found wandering far from home, those are often found in burial registers.¹⁵⁴ Sometimes it is possible to trace progress later in adulthood: Henry Holland, one of the Holland children subject to removal,¹⁵⁵ made his way to Australia on an assisted passage, aged 27.¹⁵⁶

For most children caught up in the system, however, there was little chance of progress. Poor nutrition, health and living conditions all contributed to early death. Under the old poor law, children were provided for through out-relief and orphans were maintained by relatives, with help from the parish, or farmed out to someone paid to look after them. After the union was formed, the workhouse became the solution. Under the old system, there are frequent references to the provision of clothes and shoes for children, as well as money. Indeed, there are so many such references that an impression is formed of a system in which hardship is tempered by a great deal of benevolence. But taking care of children in this way did not protect them from a cycle of poverty – instances of generations being provided with relief, or ending up in the workhouse, and of women who were born illegitimate having illegitimate children themselves, are too numerous. It does appear, though, that for a child, being cared for in their own home, even in hardship, must have been preferable to the workhouse. Whilst children were better fed than might be imagined, the threat of harsh punishment was always there.

There was little stigma attached to illegitimacy which benefited the large numbers of illegitimate children in the workhouse, though it was clear that progression in later life was hampered by the lack of legal parentage and advantage was taken of bastardy to remove

¹⁵³ Dickens, *Oliver Twist*, p.38.

¹⁵⁴ In the Cleobury Mortimer area, no such records are noted after the mid-eighteenth century.

¹⁵⁵ See Ch 6. 'Life Stages: Family Life, Parenthood into old Age' fns.133 and 134.

¹⁵⁶ NSWSA Reel 2136, [4/4786] *Assisted Immigrants Shipping Lists 1839-1896*, p.519.

children where they were a burden on the parish. Orphan children and those deserted by their parents were also prone to be removed. For those who were settled in the parish, apprenticeship was a likely outcome. Again, orphans and the deserted were most likely to find themselves apprenticed in husbandry or housewifery, though the vestry and guardians would send out children whose parents were in the workhouse, or in receipt of relief. Juvenile crime in the area was much less than the national rate, but there is evidence of children being drawn into crime by others and that crime was driven not by need, but opportunity.

The one positive factor was education in the industrial school at Quatt. If Henry Garland, the headmaster, was to be believed, pupils sent there had an opportunity to progress and break out of poverty. The poor children of the union were fortunate to have the option, though strong parental attachment held some of them back. Or was it the parents' lack of education that limited their horizons? Not all children had the strength of character to overcome their parents or the system, although John Butcher has to be admired as his own man, escaping a harsh master and making his own way – but not with the same privileged outcomes as Oliver.

5. Life stages: Young Adulthood

5.1 Introduction

In Shropshire in 1843, around 40 percent of deaths were of those aged under 15.¹ Having survived childhood, young adults were faced with finding work either to survive on their own or to assist with the family income. For many, this meant moving away from their parish of settlement and finding employment where they could. For young women there was the danger of becoming pregnant and bearing an illegitimate child.

Speaking in the House of Lords, Lord Brougham expounded how a father would view differently seeing his son and daughter in a house of ill-repute as justification for a view that unmarried men did not lead continent lives, but that women should do so.² In a much-cited journal article, Henriques quotes him as saying that ‘society took the same view’, though what the Lord Chancellor actually said was ‘the laws of Society took [...] the same view’.³ Society and the ‘laws of society’ are different things, though in both cases here it is most likely the same society of the advantaged, which did not reflect *vox populi*. Brougham was not referring to those laws ‘no different from those governing the rest of nature’,⁴ nor those ‘professedly calculated to secure the property of each individual’,⁵ but to a set of moral codes to which it was expected people would conform and which raise an interesting question. To what extent were popular attitudes shaped by laws and how much was it the attitudes themselves which shaped the law? An example of the former would be a suggestion that the lack of legal

¹ *Fifth Annual Report of the Registrar General of Births, Deaths, and Marriages, in England*, (516), 1843.

² House of Lords Sitting, July 28th *Hansard Parliamentary Debates, Third Series, Vol.25*, 1834 cc.580-613.

³ Henriques, ‘Bastardy and the New Poor Law’, p.111; *Parl. Deb.* 1834.

⁴ Emile Durkheim, *Montesquieu and Rousseau: Forerunners of Sociology*, trans. Ralph Manheim (Ann Arbor: University of Michigan Press, 1960, 1892), pp.63-4.

⁵ Described as such in the House of Commons by the Lord Mayor, Mr Wilkes: *The Parliamentary History of England from the Earliest Period to the Year 1803*, vol. XVIII AD 1774-1777 (London: T C Hansard, 1813) c.235 (February 6th 1775), as propounded by David Hume, *A Treatise of Human Nature*, vol. III (Oxford: Clarendon Press, 1888, [1739]).

protection for illegitimate infants, as ‘children of nobody’, was the driver behind the limited interest in their fate.⁶ On the other hand, the claim is made that a swing in popular opinion against ‘bastardy’ gave rise to the Bastard Children Act of 1732 by which parishes were permitted to have fathers of illegitimate children imprisoned until they recompensed the parish for their support.⁷ Certainly, there seemed to be a dichotomy at the time: harsh laws were in place, yet popular attitude seemed much more tolerant.

The question of the shaping of laws and attitudes is outside the scope of this study, but it is possible to ask how far harsh laws were applied. There is a common view that the English legal framework of the time was harsh, if not brutal.⁸ Yet studies by John Langbein, Douglas Hay, Peter King and J.M. Beattie agree that that the regime operated alongside a much less harsh interpretation determined by local culture and understanding,⁹ Generally, however, they do not consider two areas of the law that were particularly punitive towards the less advantaged. The laws relating to bastardy were possibly ‘the harshest in Europe’,¹⁰ and the widespread application of the Poor Relief Act of 1662 (which governed settlement) was such that, one hundred years later, it accounted for ‘more cases adjudged than upon any other act in the statute book’.¹¹ This chapter looks at those two areas, and also briefly examines the

⁶ Karen Clarke, 'Infanticide, Illegitimacy and the Medical Profession in Nineteenth-Century England', *Bulletin of the Society for the Social History of Medicine* 26 (1980), pp.11-14.

⁷ William Gibson, *The Church of England 1688-1832: Unity and Accord* (London: Routledge, 2001), p.131; 6 Geo. II c.31 *An act for the relief of parishes and other places from such charges as may arise from bastard Children born within the same*, 1732.

⁸ For an overview see Douglas Hay, 'Property, Authority and the Criminal Law', in *Albion's Fatal Tree*, ed. Douglas Hay (London: Allen Lane, 1975) although the extent to which it applied in reality is disputed.

⁹ John H. Langbein, 'Albion's Fatal Flaws', *Past & Present*, no. 98 (1983); Hay's own later analysis: Douglas Hay, 'War, Dearth and Theft in the Eighteenth Century: The Record of the English Courts', *idem*, no. 95 (1982); Peter King, *Crime, Justice, and Discretion in England, 1740-1820* (Oxford: Oxford University Press, 2000); and J.M. Beattie, *Crime and the Courts in England, 1660-1800* (Oxford: Clarendon Press, 1986).

¹⁰ See ch.4 fn.25.

¹¹ 13 & 14 Car. II c.12 *An Act for the better Reliefe of the Poore of this Kingdom*, s.1 1662; Richard Burn, ed. *The Justice of the Peace and Parish Officer*, 12th ed., vol. 3 (London: 1772) p.290; a regularly updated digest of reported cases contained summaries of almost 1500 cases dealing solely with the vagaries of the acquisition of settlement: S. B. Harrison, ed. *Harrison's Analytical Digest of All the Reported Cases, Determined in the House of Lords, the Courts of Common Law, in Banc and at Nisi Prius and the Court of Bankruptcy: And Also the Crown Cases Reserved, from Mich. Term, 1756, to Mich. Term, 1834: [...]*, 1st American from 2nd London ed.

incidence of criminal behaviour and resulting punishments, to question the extent to which the harsh laws were applied and how more pragmatic views prevailed.

In this chapter, young adults, who were disproportionately affected, are defined as those who have come out of childhood and, often, were fending for themselves, but had not yet reached typical marriageable age, so they include young women and men from, say, age 16 to ages 23 or 25.¹² Young adults were expected to maintain themselves and work in order to contribute to family income – or even be responsible for elderly and infirm parents, with some legal liability to do so,¹³ but they were vulnerable, particularly young women if they became pregnant whilst unmarried. Finding work was not always easy and often meant moving to a different parish, as did long apprenticeships which themselves were uncertain. In both cases, settlement entitlement was frequently an issue. Young adults were involved in over 20 percent of felonies tried at the assizes and it is possible that poverty was a factor in leading them to crime.

Unless seriously ill or disabled, young adults were treated as able-bodied and few appear in the records in receipt of relief, except where they had a child. In many ways, young adults were invisible – not being ratepayers, they had no input to the system and no voice; they were expected to support themselves and, under the law, to support their parents.¹⁴ The

(Philadelphia: 1835) Thirty years earlier, only half that number had been reported: Francis Const, *Digest of the Laws Relating to the Poor*, 5th ed., vol. 3 (London: Butterworth, 1807).

¹² There are no specific figures for age at marriage for the Cleobury Mortimer Union: the age range is therefore somewhat arbitrary. Research has shown that the average age at marriage varied greatly. In R. B. Outhwaite, 'Age at Marriage in England from the Late Seventeenth to the Nineteenth Century', *Transactions of the Royal Historical Society* 23 (1973), p.59, age ranges for men 22.4-28 and women 22-27.8 are quoted. Both higher ages relate to a Shropshire parish though, while the original work (R.E. Jones, 'Population and Agrarian Change in an Eighteenth Century Shropshire Parish', *Local Population Studies* 1 (1968), p.16) shows even higher ages, another (N. F. R. Crafts, 'Average Age at First Marriage for Women in Mid-Nineteenth-Century England and Wales: A Cross-Section Study', *Population Studies* 32, no. 1 (1978), p.22) suggests a lower age of 25.6 for women across Shropshire overall by 1861.

¹³ 39 & 40 Eliz. I, c.3 *An Act for the Relief of the Poor*, s.vii 1598; 43 & 44 Eliz. I, c.2 *An Act for the Relief of the Poor*, s.vi 1601.

¹⁴ Only abolished in 1948 (11 & 12 Geo. VI c.39 *National Assistance Act* 1948). Taking account of children's responsibility continued throughout the nineteenth century and into the twentieth in the Black Country – see

two most common reasons for being caught in the poor law system were, for women bearing an illegitimate child, and for both sexes, being removed to another parish due to settlement laws. This chapter looks at both issues and asks to what extent women were disadvantaged by bearing illegitimate children and how the settlement laws were used to remove those who did not 'belong'. Having considered crime amongst children in Chapter 4, this chapter also takes a brief look at crimes committed by young adults to see whether there is any obvious link between poverty and crime.

5.2 Illegitimacy

For young female adults, becoming pregnant with an illegitimate child posed a number of risks. Losing a job and having no income, uncertainty about where to live and being removed to a parish of settlement if deemed to be elsewhere (20 percent of inward and outward removal orders were for pregnant single women), were all likely outcomes. There were, however, differences between classes. Having an illegitimate child did not of itself mean poverty. However, if a woman and her bastard child were not maintained by her family, there was probably a direct relationship between bastardy and poverty, or at least the need for recourse to poor relief. As A.W. Ashby pointed out, this gave rise to a great distinction between the rich and the poor.¹⁵ Poorer parents who were willing, but unable, to maintain a child were much more at the mercy of a system which rendered them liable to imprisonment for up to a year, compared to the rich who could pay their way and avoid such punishment.

Marjorie Levine-Clerk, 'The Gendered Economy of Family Liability: Intergenerational Relationships and Poor Law Relief in England's Black Country, 1871–1911', *Journal of British Studies* 45, no. 1 (2006).

¹⁵ A.W. Ashby, 'One Hundred Years of Poor Law Administration in a Warwickshire Village - Chapter 6, Bastardy', in *Oxford Studies in Social and Legal History*, ed. Paul Vinogradoff (Oxford: Clarendon Press, 1912), pp.84–5.

Just how much bastardy was tolerated as a frailty is moot.¹⁶ Summoned before a church court in 1722, Sarah Edwards, mother of a bastard child, and Andrew Newall, jnr., the supposed father, may have felt a lack of tolerance.¹⁷ Whilst there are few adverse comments in parish registers, which tend to use the terms ‘illegitimate’, ‘bastard’, ‘base born’, as well as words such as ‘spurious’, in two parishes, there are fifty references to the illegitimate children of ‘strumpets’ between 1816 and 1870.¹⁸ Macfarlane repeats the point made by Ashby that having an illegitimate child *per se* was not punishable under English law: it had first to be chargeable to the parish.¹⁹ Yet, soon after the 1609 Act was passed, there are examples of justices committing people to the house of correction solely for having illegitimate children.²⁰ Nationally, women were sent to prison quite often. In houses of correction in the nearby county of Gloucester, few prisoners served more than six months, and most less than one, but ‘lewd’ women were incarcerated for a year on bread and water, suffering more than petty thieves. Many were gaoled on technicalities under a 1609 Act,²¹ which made it impossible to prevent their children from becoming chargeable. Sir George Paul, the prison reformer, remarked in 1809 that Gloucester houses of correction were home to women who were the only inmates, serving sentences of a year: most other prisoners were freed in six months or less. In fact, his findings were that since his new houses of correction had been opened, it seemed that parish officers were taking advantage of being able to pass the cost of support to the county. The number of unmarried mothers imprisoned in Gloucestershire since their

¹⁶ See ch.4 fn.27.

¹⁷ Herefordshire Archives, *People in Church Courts, Cleobury Mortimer*, B03/4 January 22nd 1722, (p.61).

¹⁸ SA, *Farlow Parish Registers, Baptism 1813-1858* P107/A/1/1; *Stottesdon Parish Registers, Baptism Register 1813-1879* P247/A/2/1.

¹⁹ Macfarlane, ‘Illegitimacy and Illegitimates’, p.73; 7 Jac. I, c.4 *For the due execution of divers laws and statutes heretofore made against rogues, vagabonds, and sturdy beggars, and other lewd and idle persons*, 1609/10.

²⁰ The Manchester case of Alice Robinson (1637) for having four bastards ‘by maryed men and others’, and Thomas Greenhalgh (Wigan, 1620) for fathering seven bastards (there is no mention of whether Greenhalgh was committed for failing to give assurances to indemnify the parish): Walter J. King, ‘Punishment for Bastardy in Early Seventeenth-Century England’, *Albion: A Quarterly Journal Concerned with British Studies* 10, no. 2 (1978), p.1.

²¹ 7 Jac. I, c.4.

opening was greater than the sum of those imprisoned during the whole of the eighteenth century – and far more than in any other English county.²² This was certainly not the case in Cleobury Mortimer, where only eight cases have been found, all between 1787 and 1801 (out of a total of thirty- three illegitimate births in the period): in each the women were sentenced to twelve months with hard labour for having had bastard children who became chargeable to local parishes.²³ Only one other case reached the assizes, in 1821, when Elizabeth Middleton was committed until she filiated her bastard child.²⁴ It appears that in Gloucestershire for mothers of illegitimate children there was no ‘welfare state in miniature’, but even though the actual number of cases was low in Cleobury Mortimer, it stood at 25% of illegitimate births and the same could be argued there.

The threat of being imprisoned for a year seems to have given rise to fears of infanticide and a one paragraph act was passed in 1623, mandating death to any woman who *concealed the death* of her bastard child.²⁵ Unlike the parents of legitimate children who concealed a death, the unmarried mother was presumed guilty. Infanticide was common and women were regularly tried under this law but it was unusual for them to be punished – most were acquitted.²⁶ The 1623 law was eventually repealed in 1803,²⁷ but with a new offence of concealment being added, for which there were regular prosecutions.²⁸ In 1839, Harriet Turner, 28, of Hopton Wafers was prosecuted for concealing the birth of her female child, but

²² J. R. S. Whiting, *Prison Reform in Gloucestershire, 1776-1820: A Study of the Work of Sir George Onesiphorus Paul, Bart* (London: Phillimore, 1975), pp.107-8, 142.

²³ SA QS/10/1 *Assize and County Quarter Sessions calendars of prisoners*: the cases of Milborough Williams, 23 (Hopton Wafers) January 1787; Ann Harding, 27 (Hopton Wafers) October 1787 (three bastards); Sarah Gardner, 24 (Milson) January 1791; Rachel Binion, 21 (two bastards) and Elizabeth Payne, 37 (both Stottesdon) March 1792; Hannah Shipman, 21 (Stottesdon) April 1792 (two bastards); Hanna Palmer, 27 (Kinlet) January 1793; and Elizabeth Garbet, 29 (Cleobury Mortimer) April 1801 (four bastards).

²⁴ Ibid. QS/10/3, October 15th 1821.

²⁵ 21 Jac. I, c.27 *An Acte to prevent the murthering of Bastard Children*, 1623.

²⁶ Mark Jackson, *New-Born Child Murder: Women, Illegitimacy and the Courts in Eighteenth-Century England* (Manchester: Manchester University Press, 1996), p.3; Larry S. Milner, *Hardness of Heart/Hardness of Life: The Stain of Human Infanticide* (Lanham, MD: University Press of America, 1999), p.98.

²⁷ 43 Geo. III c.58 *An Act for the further Prevention of malicious shooting* s.3, 1803, [Lord Ellenborough’s Act] .

²⁸ R. Sauer, 'Infanticide and Abortion in Nineteenth-Century Britain', *Population Studies* 32, no. 1 (1978), p.82.

found not guilty. In 1854, Margaret Philips, with Ann Philips, of Cleobury Mortimer, was committed for concealing the birth and secretly burying the body of her female child, but no bill was found.²⁹ Popular opinion, whilst deprecating infanticide, viewed it as less serious than murder, but was outraged by anti-poor law propaganda suggesting that infanticide was a policy of the Poor Law Commissioners to reduce the population.³⁰ Occasionally, however, murder charges were brought. In 1801, Margaret Perkins, of Hopton Wafers, was charged with the wilful murder of her 'newborn male bastard child' after an inquest.³¹ Margaret Perkins appears to have married the following year, so may not have suffered any penalty.

Another risk for mothers was that of being removed from the parish and sent back to their parish of settlement. Under an act of 1795, it was illegal to remove someone until they actually applied for relief.³² However, the Act specifically deemed unmarried mothers to be chargeable. Despite other provisions condemning removal of 'poor persons [...] during the time of their sickness, to the great danger of their lives', unmarried women were even sometimes forcibly ejected in labour if they were not settled in the parish, in order to prevent the child from gaining a settlement.³³ Sometimes, this forcible ejection was by gangs of local men who did not have the warrant of a removal order but took it into their own hands.³⁴

²⁹ *Assize and County Quarter Sessions calendars of prisoners*. SA QS/10/9; evidence was first presented to a grand jury to determine whether there was sufficient to prosecute. If the grand jury disagreed, they returned a decision of 'no bill found' or 'ignoramus'.

³⁰ Sauer, 'Infanticide and Abortion in Nineteenth-Century Britain', pp.82-3; Marcus, *The Book of Murder! A Vade-Mecum for the Commissioners and Guardians of the New Poor Law ... Being an Exact Reprint of the Infamous Essay on the Possibility of Limiting Populousness, by Marcus* 2d ed. (London, 1839).

³¹ SA QS/10/1 *Assize and County Quarter Sessions calendars of prisoners*, April 1801.

³² *An Act to prevent the removal of poor persons, until they shall become actually chargeable*, 1795, 35 Geo. III c.101.

³³ K. D. M. Snell and J. Millar, 'Lone-Parent Families and the Welfare State: Past and Present', *Continuity and Change* 2, no. 03 (1987), p.412; Marshall, *The English Poor in the Eighteenth Century: A Study in Social and Administrative History*, p.211. Note: Hindle records details of contemporary criticism of the practice by magistrates, but King is at pains to point out that in the three counties he studied (Lancashire, Somerset and Wiltshire), there is no evidence of sustained attempts to remove pregnant women. [Hindle, *On the Parish?*, p.412; King, 'Poor Relief, Settlement and Belonging', p.86].

³⁴ Snell, *Annals of the Labouring Poor*, p.107.

Where possible, pregnant women were removed to their home parishes. Whilst it could be argued that such removal took women away from putative fathers, thus providing some potential safeguard for the latter, parishes were often adept and assiduous in pursuing fathers to pay for the maintenance of their child. Sometimes attempts were made to force unmarried mothers to marry their lovers or seducers.³⁵ Ivy Pinchbeck and Margaret Hewitt suggest that parish records demonstrate that ‘a determination to protect the ratepayer frequently overbore a zeal for justice’ on the part of officials.³⁶ Perhaps, however, the determination was on both sides. Forced marriage sounds drastic, but according to Charles Sawyer, JP, ‘the most active inducement to incontinence in the female, is the prospect of being cured by a forced marriage, the usual consequence of a state of pregnancy in country parishes.’³⁷ Under the Bastard Children Act of 1733, fathers could be sent to prison for failing to give surety or security to indemnify the parish, but there were very few cases in the area.³⁸ The plight of the man in this instance is summed up by Edward Simeon in evidence to the Poor Law Commission: ‘The man very naturally says, ‘I cannot support the child, for I have not got the means; out of 3s. 6d. a week it is impossible to give 2s. a week, and I am exceedingly unwilling to go to Oxford gaol, and therefore, of the three evils, I will choose the least, and marry the woman, although it is probable that the child is not mine.’³⁹ There may have been a financial element to having a bastard child. According to Assistant Poor Law Commissioner Majendie,⁴⁰ a pregnant young woman taken into a workhouse may well have been – no doubt in his experienced view – better fed and lodged than at any time in her former life. More to the

³⁵ Lees, *The Solidarities of Strangers*, p.58.

³⁶ Pinchbeck and Hewitt, *Children in English Society - from Tudor Times to the Eighteenth Century* p.210; also Marshall, *The English Poor in the Eighteenth Century: A Study in Social and Administrative History*.

³⁷ *PLR*, p.96, Charles Sawyer JP, Bray, Berks.

³⁸ 6 Geo. II, c.31 *An Act for the Relief of Parishes and other Places from such Charges as may arise from Bastard Children born within the same*, 1733. For example, SA QS10/1 *Assize and County Quarter Sessions calendars of prisoners*, cases of Abraham Wright, (April 1801); QS/10/2 Thomas Garbett, (July 1815); QS/10/2 James Lucas and Benjamin Watmore, (April 1816); QS/10/4 William Langford (October 1829).

³⁹ *PLR*, p.97-98. Edward Simeon was a magistrate from Whitchurch, Oxfordshire.

⁴⁰ Ashurst Majendie was assistant poor law commissioner for E. Surrey, E. Sussex, Kent and Essex.

point, a bastard child could attract more in maintenance for itself and the mother, as much as 25 percent more, than that given for a legitimate child in distress.⁴¹

The effect of the 1575 Act was to provide the parish officers with powers to pursue the reputed fathers of illegitimate children to recover the cost of their maintenance by the parish. Women had the ability to name a putative father without any corroborating evidence, though a bastardy examination was required to establish this ‘satisfactorily’. A bastardy bond would then be entered into by the putative father, who agreed to pay maintenance for the child. When the child was born, an affiliation order could be sought from the justices to make the alleged father responsible for all the costs of the birth itself and payment of a weekly sum to maintain the child, usually to the age of seven. Alleged fathers often ran away and a warrant could be issued for their arrest and committal to prison. Under the same Act, mothers too could be imprisoned for failing to maintain their child. This was reinforced by 7 Jac. I c.4, which provided for mothers being imprisoned for a year.

Much has been written on the framework relating to bastardy under the old poor law,⁴² where women could rely on statutes that allowed the parish to recover costs from the putative father, who could be named with relative impunity by the woman. Parishes were keen for fathers to be so named and it was common for midwives to extract a name by withholding assistance *in extremis* during labour. For midwives, this was a real responsibility, which

⁴¹ *PLR*, p.94-5. Majendie quotes the relief given in Croydon at 2s. to 3s. per week, whether recovered from the father or not, for an illegitimate child, but only 2s. for a legitimate child in distress. The example is that of the mother of seven illegitimate children who, as quoted, boldly states that she is not going to be ‘disappointed in her company with men to save the parish’.

⁴² For example: Blaug, 'The Myth of the Old Poor Law and the Making of the New'; Patricia Bromfield, 'Incidences and Attitudes - a View of Bastardy from Eighteenth-Century Rural North Staffordshire, c.1750-1820', *Midland History* 27, no. 1 (2002); Cissie Fairchilds, 'Female Sexual Attitudes and the Rise of Illegitimacy: A Case Study', *The Journal of Interdisciplinary History* 8, no. 4 (1978); Henriques, 'Bastardy and the New Poor Law'; King, 'Punishment for Bastardy in Early Seventeenth-Century England'; Laslett and Oosterveen, 'Long-Term Trends in Bastardy in England'; Adrian Wilson, 'Illegitimacy and Its Implications in Mid-Eighteenth-Century London: The Evidence of the Foundling Hospital', *Continuity and Change* 4, no. 1 (1989).

could lead to them falling foul of the ecclesiastical authorities who provided their licences for failing to ensure the filiation of bastards.⁴³

There is no agreement on the reasons for the rise in the illegitimacy ratio in the late eighteenth and early nineteenth centuries. Edward Shorter attributes it to a sexual revolution driven by urbanisation and modernisation, but this is challenged by Louise Tilly, Joan Scott and Miriam Cohen who suggest that *mariages manqués* was a more likely cause.⁴⁴ In any event, Shorter's proposal carries no weight in rural areas such as Shropshire and, as Laslett found, villages were more likely to be marked by the presence of illegitimates than towns.⁴⁵ Whatever the reasons, it is evident that illegitimacy had been seen as an economic problem for a long time. For example, the use of gaol to avoid parish expense; the sending of Shropshire infants to the London Foundling Hospital as early as 1757;⁴⁶ and the sheer expense: in the parish of Abson and Wick, near Bristol, expenditure on unwed mothers from 1760-1803 was 23.2 percent of the total, but for only 10.9 percent of the claimants.⁴⁷

The opening line of the recommendations on bastardy in the Poor Law Commission Report of 1834 refers to the 'increase in expense' of the existing poor laws and the report goes on to call for a repeal of all the bastardy clauses.⁴⁸ Mothers were to be responsible for the upkeep of the child, or face the workhouse, and all censure, punishment and charge against putative fathers was to be repealed. The tone of language in the Poor Law Report, and the

⁴³ David Harley, 'Provincial Midwives in England: Lancashire and Cheshire, 1660-1760', in *The Art of Midwifery: Early Modern Midwives in Europe*, ed. Hilary Marland (London: Routledge, 1994), pp.36-7.

⁴⁴ Edward Shorter, 'Illegitimacy, Sexual Revolution, and Social Change in Modern Europe', *The Journal of Interdisciplinary History* 2, no. 2 (1971); Louise A. Tilly, Joan W. Scott, and Miriam Cohen, 'Women's Work and European Fertility Patterns', *idem* 6, no. 3 (1976), p.476 – *mariages manqués* were those where sexual intercourse took place following a promise of marriage which was never fulfilled (*ibid.*) (see also Laslett note 70).

⁴⁵ Peter Laslett, *The World We Have Lost*, 3d ed. (London: Methuen, 1965/1983), p.153.

⁴⁶ Wilson, 'Illegitimacy and Its Implications in Mid-Eighteenth-Century London: The Evidence of the Foundling Hospital', p.116.

⁴⁷ Mary E. Fissell, 'The 'Sick and Drooping Poor' in Eighteenth-Century Bristol and Its Region', *Social History of Medicine* 2, no. 1 (1989), p.40, Table 1.

⁴⁸ *PLR*, pp.195-8. Not just mothers were to be held responsible, but grandparents and husbands, if the mother married.

parliamentary debates of the time, is strongly moralistic in tone, but there is an underlying thread of economic censure. The evidence given to the Commission, and to the earlier House of Lords Committee, appears rather one-sided and critical. Consider more from Edward Simeon, that the operation of the law is such that ‘You thus secure to her what every Woman looks upon as the greatest Prize— a Husband’. This must be seen in the light of his earlier comments such as ‘a Woman of dissolute Character may have Connection with any Person she pleases, and then pitch upon any unfortunate young Man whom she has inveigled into her Net’.⁴⁹ Even this view is not as extreme as that of Majendie, who declared that ‘a woman of immoral habits could collect a number of such payments from various men in respect of a train of bastards, until she became a local heiress and could make an advantageous match’.⁵⁰

These views appear to be widely held. Writing in 1834 to *Berrow’s Worcester Journal*, in response to an outline of the proposed legislation by the chairman of the Hereford county sessions, J. P. rather vituperatively held:

If you can spare me room, I should wish to conclude with a few remarks upon the *bastardy* clauses, which have caused such conflicting opinions even amongst the Magistrates. It is said all the *punishment* falls upon the woman - the weaker vessel space! I beg to ask what and where is this *punishment*? Is it a punishment for parents to nourish their legitimate offspring? Or is it a greater punishment than he deserves, for any person, making an improvident bargain, to be obliged to stand to its consequences? By the new Act the *premium* to vice (1s. 6d. per week or a husband) has been withdrawn; and the great beauty of the new law is that it converts the offence from a *criminal* to a *moral* and *social* one. What, I would ask, has caused *infanticide* in almost every case upon record? The instigation of the putative father, who had to pay for it; or the fear of detection and shame in the mother. Instead of being hunted from garret to garret, and parish to parish, by the overseer, and finally dragged through a crowd, before a bench of Magistrates, the ‘unfortunate’ may now conceal her shame and retire from public gaze. The law leaves her a civil remedy against her seducer; her offence is no longer criminal and if she does not make a parade or boast of it, to offend the *social* law, we may

⁴⁹ *Journal of the House of Lords, Volume Lxiii, 1830-31, 1831, p.362.*

⁵⁰ *PLR*, p.94.

safely leave her to make her peace with that most merciful of all Judges, for the breach of the moral law.⁵¹

Although this writer alludes to parental responsibility, his focus is on the moral transgression of the woman. His views are extreme, even for the time, and the image of the hunted woman does not fit with the local practice in the union parishes of making every effort to find and bring before the magistrates, the father. Yet, J.P. may not have been happy for her to marry either. Writing just two years before this letter was published, Joseph Livesey argued strongly against a view that the poor be not allowed to marry until they can afford to have children:

Let marriage be prohibited among person who cannot shew that they possess some useful and competent means of trade or profession, to bear the expenses attending necessarily on matrimony. No person has a right to bring a child into the world, and throw its maintenance on others. When people marry, they enter into a contract with the public, to provide for, and educate the offspring. Marriage is not a contract between a man and a woman for their mutual pleasure; there is a third and a far more important party to the contract, viz.: the PUBLIC. A breach of this, ought to subject both parties to indictment and punishment.⁵²

While most criticism was directed at women, there were some who recognised the part of the men. For example, Lord Wharncliffe said that if it were possible 'to affix any mark of shame on the father, to stigmatize him with any part of the disgrace attendant upon the transaction, he, for one, would gladly impose a penalty of that kind'.⁵³ Not all men were blameworthy: there were concerns that parish officers simply encouraged women to 'pick out' someone who could pay and falsely swear paternity. This led to examples, perchance, such as the case of

⁵¹ "J.P., Letter to the Editor", *Berrow's Worcester Journal*, October 9th 1834; "Richard Jones-Powell, Chairman of the Hereford County Sessions., Letter to the Editor", *Berrow's Worcester Journal*, October 2nd 1834 (the letter which prompted the response).

⁵² Joseph Livesey, *The Moral Reformer and Protester against the Vices, Abuses and Corruptions of the Age*, vol. 1 (London, 1831), p.41; Livesey, a social reformer and temperance campaigner, was quoting Sir Robert Wilmot Horton (Sir Robert Wilmot Horton, *Lectures on Statistics and Political Economy as Affecting the Condition of the Operative and Labouring Classes* (London: London Mechanics' Institution, 1830) , p.12 and took issue with Wilmot Horton's view, somewhat unfairly as Wilmot Horton was actually also arguing against the notion, which was originally put forward by Thomas Cooper, *Lectures on the Elements of Political Economy* (London, 1831), p.359 .

⁵³ House of Lords Sitting, July 31st *Parl. Deb. 1834* cc.777-787.

the 18-year-old Exeter apprentice, jailed for six months – ‘severe even to hardened criminals’ – for want of security for the upkeep of a child for which he hotly denied responsibility.⁵⁴

Thomas Malthus proposed the withdrawal of parish relief for illegitimate children and may have been a significant influence on the Poor Law Commissioners,⁵⁵ who asserted that their proposals would mean that ‘a bastard will be, what Providence appears to have ordained that it should be, a burthen on its mother, and, where she cannot maintain it, on her parents’.⁵⁶ The Commissioners, however, did not quite get their way. As Henriques explains, their proposals were partially defeated. Affiliation orders remained, though action had to be taken in the Quarter Sessions by the parish and where, under the old system there was an incentive for a woman to swear paternity against a man of means rather than the father, under the Poor Law Amendment Act it was now necessary to corroborate the mother’s evidence in some material particular.⁵⁷

The 1834 Act which established the new framework, was heartily disliked. Serious reservations were expressed and *The Times* thundered in its response to the Bill that, if enacted, it would disgrace the statute book and be a dreadful scourge on the land.⁵⁸ After the Act was passed, continued public dissent was evidenced by petitions to parliament. For example, in the neighbouring union of Kidderminster, a meeting of ratepayers proposed a petition to repeal the new law, especially ‘the entire Bastardy clause, which gives a direct premium for infanticide, and consigns helpless and destitute females to degradation and

⁵⁴ *PLR*, pp.93, 95.

⁵⁵ Malthus, *An Essay on the Principle of Population* IV, vii., p.538; Henriques, ‘Bastardy and the New Poor Law’, p.109.

⁵⁶ *PLR*, p.197.

⁵⁷ ‘Bastardy and the New Poor Law’; for examples of blackmail and men being forced into marriage, see *PLR* Appendix C., pp.399-401.

⁵⁸ “The More We Consider the New System of Poor Laws, the More (Involuntarily and Really against Our Wishes)”, *The Times*, 30 April 1834.

misery'.⁵⁹ The effect of the law as a deterrence was limited: although the number of affiliation orders and chargeable bastards decreased, the overall number born increased.⁶⁰ This was explained by the lack of any practical restraint on men. Later changes in the law firstly returned jurisdiction to the petty sessions and then gave women the power to initiate action.⁶¹ Under the new laws, mothers were much worse off than before, and generally faced the workhouse, with its probable enforced separation from the child. Taking the settlement of the mother meant that it was easier to remove mother and child if the mother was from a different parish.

5.2.1 Illegitimacy in Shropshire

In a history of Highley, one of the union parishes, Gwyneth Nair states that Shropshire was a known area of high illegitimacy.⁶² That Shropshire had a high rate of illegitimacy in the nineteenth century, second only to Cumberland in 1845, is clear from the statistics. Official figures suggested an increase in the county from 9.2 percent in 1842 to 10.5 percent of births in 1845.⁶³ Laslett draws attention to Shropshire's place near the top of the bastardy ratio tables from 1842 all the way to 1902.⁶⁴ For the registration district including Cleobury

⁵⁹ "Anti-Poor Law Meeting at Kidderminster", *Berrow's Worcester Journal*, February 8th 1838; Thomas Nutt, 'Illegitimacy and the Poor Law in Late-Eighteenth and Early-Nineteenth Century England' (Unpublished PhD thesis, University of Cambridge, 2005), p.51 quotes a very similar sentiment by the vestry of Sowerby in W Yorkshire: 'That the Bastardy causes, in the said Act give inducement to seduction and infanticide, and are degrading, and unjust to the female, and if not repealed, ultimately tend to fill this land with an illegitimate race.' Numerous anti-poor law meetings are reported in newspapers from 1837 through 1853.

⁶⁰ Evidence of Alfred Power, Assistant Poor Law Commissioner for Lancashire and the West Riding of Yorkshire in *Tenth Report from Select Committee on the Poor Law Amendment Act; with the Minutes of Evidence, and Appendix*, (183), 1837-38, p.24 (3566).

⁶¹ 2 & 3 Vict. c.85 *An Act to enable justices of the peace in petty sessions to make orders for the support of bastard children*, 1839; 7 & 8 Vict. c.101 *An Act for the further amendment of the Laws relating to the Poor in England*, 1844 .

⁶² Gwyneth Nair, *Highley: The Development of a Community, 1550-1880* (Oxford: Basil Blackwell, 1988), p.126. Nair does not provide any basis for her claim.

⁶³ *Eighth Annual Report of the Registrar General*, p. lxiii.

⁶⁴ Laslett, Oosterveen, and Smith, *Bastardy and Its Comparative History: Studies in the History of Illegitimacy and Marital Nonconformism in Britain, France, Germany, Sweden, North America, Jamaica and Japan*, p.29. Though Laslett deems it noteworthy, no explanation is given nor any reasons why none of the other counties at

Mortimer, the figure for 1842 was slightly higher at 11.0 percent vs 9.2 percent for the county.⁶⁵ Although these figures seem high, they are very much in line with other districts in the region. The only way of deriving an accurate count of illegitimate births for the period is to use the entries in the parish registers. This is fraught with difficulty, not least because the entry may not have been so marked, although the absence of a father may be indicative of illegitimacy. Other reasons for incomplete records include child mortality rates which at the time were high, infants who died very young may not appear in the register (nor, from the late seventeenth century, in burial records) and clandestine marriages were common.⁶⁶

Joseph Plymley coyly suggested that the increase in the illegitimacy ratio in Shropshire at the turn of the nineteenth century was due to the practice of keeping servants instead of day-labourers, especially due to the increased size of farms. Although the general population was not increased, as they did not have their own families, ‘circumstances’ mean that the number of illegitimate children increased.⁶⁷ Pre-marital conception was commonplace – in Wales, one clergyman reported as many as forty-nine out of fifty marriages where the female was either with child or had had one.⁶⁸ From the mid-sixteenth century to the mid-eighteenth century, between 16 and 25 percent of all first births were within eight months of marriage.⁶⁹ Laslett suggested that most illegitimacies arose in similar circumstances to those first births, that is born to those who intended to marry, but were prevented by circumstances.⁷⁰ Pregnancy was a cue to marriage, but perhaps economic

the top of the tables were not worthy of note; see also Peter Laslett, *Family Life and Illicit Love in Earlier Generations* (Cambridge: Cambridge University Press, 1978), p.148.

⁶⁵ *Eighth Annual Report of the Registrar General*.

⁶⁶ Anthony Wrigley and R. Schofield, *The Population History of England, 1541-1871: A Reconstruction*, 1st ed. (Cambridge: Cambridge University Press, 1989), p.15. Wrigley also suggests that marriage registers only record between a quarter and a third as many such events – *Idem.*, p.20.

⁶⁷ Plymley, *General View of the Agriculture of Shropshire*, pp.135, 345.

⁶⁸ *PLR Appendix A.*, p.180.

⁶⁹ Wrigley and Schofield, *The Population History of England, 1541-1871: A Reconstruction*, p.254.

⁷⁰ Laslett, *The World We Have Lost*, p.178.

insecurity prevented marriage and thus gave rise to bastards.⁷¹ This may well be true for *many* but not *most* illegitimacies. During the Interregnum, in Somerset, six out of ten women examined for bastardy claimed marriage vows that men tried to deny.⁷² Of course, not all illegitimate children were born to couples in stable, if irregular, relationships. Human nature, being what it is, must have had an element of blame. On being reproached for the burden to the parish of her seven bastards, the woman being questioned in Swaffham, Norfolk, defiantly replied, 'I am not going to be disappointed in my company with men to save the parish'.⁷³ An Assistant Poor Law Commissioner reported his view that female chastity among the lower orders did not exist, except in servants who were frightened of losing their places.⁷⁴ This view was later countered in the House of Lords by Henry Phillpotts, the Bishop of Exeter, who said that it was a calumny copied from a travel book by a salacious French general.⁷⁵

Henriques repeats Majendie's rather ridiculous claim without making any comment,⁷⁶ but there is no evidence to suggest that any woman in the Cleobury Mortimer Union became an heiress by producing a number of illegitimate children. There were, though, a number of women with more than one illegitimate child. Martha Wall of Highley was the daughter of Richard Wall, who was an irregular recipient of varying amounts of casual relief in the 1770s and 1780s. She first appeared in 1788-89 receiving relief several times, along with payment for her quarters. Her illegitimate daughter, Lucy, was born in 1790. She received regular relief again in 1794, but there is no detail for the intervening years as the poor were farmed

⁷¹ Tim Hitchcock, 'Unlawfully Begotten on Her Body': Illegitimacy and the Parish Poor in St Luke's, Chelsea', in *Chronicling Poverty: The Voices and Strategies of the English Poor, 1640-1840*, ed. Tim Hitchcock, Peter King, and Pamela Sharpe (London: Macmillan, 1997), p.71.

⁷² Geoffrey Robert Quaife, *Wanton Wenches and Wayward Wives: Peasants and Illicit Sex in Early Seventeenth Century England* (London: Croom Helm, 1979), p.94.

⁷³ *PLR*, p.95.

⁷⁴ *Idem* Appendix A., p.650.

⁷⁵ House of Lords Sitting July 28th *Parl. Deb.* 1834 cc. 586-944.

⁷⁶ See fn. 50; Henriques, 'Bastardy and the New Poor Law' p.105.

and there are thus no overseers' records or vestry minutes.⁷⁷ In 1795, relief was paid for the whole year for her child. This was presumably Lucy, though in 1792 she had a second child, John, also illegitimate. In 1795 she married Robert Steel. There are no records, but one can imagine he was the father of one or both of the children, as the parish had sought a summons for him to appear before the magistrates. The overseer went on a journey 'beyond Bewdley' in an effort to find him, and Steel was examined before the magistrates at Bridgnorth: under the Bastard Children Act of 1733, fathers could be sent to prison for failing to give surety or security to indemnify the parish.⁷⁸ Steel may have married Martha Wall to avoid paying maintenance charges to the parish, or going to prison. Whatever his motives, they may not have been honourable as he then abandoned her and concerted efforts were made to apprehend him. The overseer, accompanied by one or more men, went to Gloucester for five days in pursuit. Horse hire, expenses, maintenance, the cost of a warrant and advice came to the astonishing amount of £30 11s., but to no avail. The following year Martha Steel was receiving 4s. per week and her rent. A search was made for a house for her, as she was pregnant again and her illegitimate son, Joseph was born in 1800. The following year she was being paid between 5s. and 6s. per week, and in receipt of coals, clothing and bedding, whilst another attempt was made to find her husband.

Bearing children whilst unmarried itself was generally not seen as a problem, an extreme case being that of the woman quoted earlier with seven illegitimate children.⁷⁹ However, whilst not taking a moral view, parishes went to great lengths to recover the costs they incurred in looking after illegitimate children.

⁷⁷ After the passing of Knatchbull's Act (9 Geo I c.7 *An Act for Amending the Laws relating to the Settlement, Employment and Relief of the Poor*, 1722-23), parishes could contract out the maintenance of the poor to a third party who, for a fixed rate for each pauper, would feed and house the poor, and provide them with work and who could keep any profit. In the case of Highley, this was done for an agreed quarterly fee. It is reasonable to assume that she was receiving relief in those intervening years.

⁷⁸ 6 Geo. II, c.31 *An Act for the Relief of Parishes and other Places from such Charges as may arise from Bastard Children born within the same*, 1733.

⁷⁹ See fn.41.

5.2.2 Incidence of bastardy in Cleobury Mortimer and the other union parishes

There is no easy way of verifying the percentages shown in the Registrar General's reports of the 1840s, which are taken as read. However, analysis of the Cleobury Mortimer registers for the period 1770-1812 shows a total of 1,569 registered baptisms, of which one hundred were clearly of children born out of wedlock. This is only 6 percent compared to an official figure of 11 percent for the 1840s. Either the incidence of illegitimate birth increased substantially after the introduction of the new poor laws, or there was a much greater incidence of illegitimacy in other parishes in the registration sub-district, or there is something wrong with the statistics. However, there was a perceived problem. The Revd. George Moultrie, vicar of Cleobury Mortimer, wrote scathingly about 'bastardy cases'.⁸⁰ In December 1839, there were nine separate applications by single women with illegitimate children at one board session – all were offered the workhouse.⁸¹ In 1844, the guardians sought permission from the Poor Law Commission to 'cut the hair close' to mark the misconduct of the mothers of bastard children, along with other dissolute females, who were not sufficiently deterred from coming in to the workhouse. The PLC demurred, referring the guardians to their previous minute on dress, pointing out that cutting hair fell under the same principle.⁸²

In Barry Reay's study of Kent parishes, almost 50 percent of all births between 1780 and 1871 were either pre-nuptial or pre-nuptially conceived.⁸³ Almost exactly the same

⁸⁰ SA PL5/103 Revd. George Moultrie to the chairman of the guardians, June 11th [The letter bears no year, but is in a batch, all of which date to 1838-39]. 'Dear Hale, I have looked over the pauper list of Cleobury & I am sorry to say I can see no case which will admit of any abatement. The bastardy cases are strong proof of gross neglect on the part of parish officials for years before the Union & some are now, & shall be for a few years, justly suffering for such neglect. The case of [...] requires strict investigation. There is a great deal of mystery about it, but I think it merits a scrutiny. Yours truly, G. Moultrie.' Unfortunately, the case cannot be investigated as the name is illegible.

⁸¹ SA PL5/3, December 2nd 1839.

⁸² SA PL5/6 *Guardians' Minutes, Minute Book F* October 28th 1844; Poor Law Commissioners, 'Ignominious dress for unchaste women in workhouses', March 5th 1839 - *Sixth Annual Report of the Poor Law Commissioners. with Appendices.*, (245), 1840 Appendix A, 4.

⁸³ Reay, *Microhistories*, p.181.

percentage was found for Colyton, Devon.⁸⁴ Similar figures generally apply to England: since between a third and a half of all brides were pregnant (in many parts of England), it seems relations including full intercourse were expected to lead to marriage (or at least marriage was understood to be a possible outcome).⁸⁵ 'Relations' or 'connection' as it was often called led to an 'understanding, articulated or not, [...] that if the result was an unwanted pregnancy marriage would follow'.⁸⁶

5.2.3 The union parishes under the old law

Only 111 bastardy bonds and examinations survive for Cleobury Mortimer for the 150 years for 1685-1838 and fewer than ten for Aston Botterell, but nothing for any of the other fifteen parishes. Not all correspond directly to entries in the parish register either. Why so few survive, why these particular ones and the reasons for the lack of correspondence is not known. Like all primary documents, bastardy bonds are biased,⁸⁷ due to issues of 'selective deposit' and 'selective survival'.⁸⁸ The overseers' accounts make regular reference to the cost of affiliation orders, so there must have been a general approach of ensuring that putative fathers were pursued for recovery of maintenance. There are a number of examples of the constable being used to arrest men, but there are no petty session records for Cleobury Mortimer that provide any detail of these cases.

Behind the rhetoric and the changes in the law, there are stories of real people. Mary Butcher, who had an illegitimate son in 1773 and a daughter in 1779, was paid every week for at least twelve years but she was only paid briefly for two children, which suggests that

⁸⁴ J. Robin, 'Illegitimacy in Colyton, 1851-1881', *Continuity and Change* 2, no. 2 (1987), p.307.

⁸⁵ Michael Mason, *The Making of Victorian Sexuality*, new ed. (Oxford: Oxford University Press, 1995), p.67.

⁸⁶ Reay, *Microhistories* p.181.

⁸⁷ Reay, *Microhistories*, p.198.

⁸⁸ Webb *et al.*, *Unobtrusive Measures: Nonreactive Research in the Social Sciences*, p.54.

payments for each child were made for around six years each.⁸⁹ In Hopton Wafers, in 1795, Milborough Williams received a weekly allowance of 2s. and also had clothes provided, costing 9s 7½d.⁹⁰ Things had improved for her. Eight years earlier, she had been committed to prison for a year for being a lewd woman, having a bastard child, John, born in 1786, chargeable to the parish and refusing to name the father. Williams again received a short-term allowance in 1800-01, when repairs were paid for to her house, and she and her son were provided with shoes. Her weekly allowance then continued from 1802 until 1809, but she still received irregular relief, occasionally in kind; for example, a new shift in 1812. Regular weekly payments of 2s. were made from 1816 to 1837, when she died aged 73.⁹¹ Ann Harding, who was also receiving 2s. per week, had mixed fortunes. She was provided with clothing: a shift, a bed gown, a petticoat, a pair of stays, a handkerchief, a pair of shoes and a hat; but her illegitimate daughter, Letticia, aged 7, was taken to the workhouse. At some time Letticia came back to Hopton Wafers. Ann Harding also briefly received a weekly allowance in 1801; Letticia that year was paid for seventeen weeks and she appeared again in 1817-20, by which time she was in her late twenties, receiving casual relief in money for several months, and a pair of shoes. It is this type of relief – clothes as well as money – that provides evidence for a ‘welfare state in miniature’ that persisted well into the early part of the nineteenth century.

For poor women with an illegitimate child, being caught up in the poor law system was not a choice – they were at the mercy of the system. Yet, prior to the introduction of the new poor law that system seemed to work in their favour. They and their offspring were looked after, being provided with relief, clothes and occasional food. Despite the possibility of harsh treatment, imprisonment and censure, there is clear evidence that reasonable levels of

⁸⁹ Ibid. Payments were latterly made to her mother, Easter Butcher.

⁹⁰ HW *Overseers' Accounts 1792-1813*; SA QS/10/1 *Calendars of Prisoners*, January 9th 1787.

⁹¹ HW *Overseers' Accounts 1816-1837* Payments reduced to 1s 6d. in the last two years.

support were provided for mothers and their illegitimate children, suggesting that for them, the system operated as a 'welfare state in miniature'. Things changed after 1834: the workhouse became the preferred option of the guardians and they tried to introduce quite repressive rules to deal with unmarried mothers. Throughout the whole period, the system was geared towards making putative fathers pay for children and great efforts were made to pursue the fathers.

5.3 Settlement – an inconvenience?

For those young adults trying to put down roots, losing employment and becoming chargeable to the parish raised the spectre of removal, if they did not belong. This was not just a fate reserved for incomers. Even those born, and believing themselves settled, in a parish, fell foul of highly complex, and sometimes arcane, laws and were removed, perhaps to a place they had never been. Adam Smith wrote that 'there is scarce a poor man in England of forty years of age, who had not in some part of his life felt himself most cruelly oppressed by the Law of Settlements'.⁹² This was a sentiment echoed by Malthus whose comment was 'the parish persecution of men whose families are likely to become chargeable, and of poor women who are near lying-in, is a most disgraceful and disgusting tyranny'.⁹³

James Postons, just sixteen years old, had every reason to believe that Cleobury Mortimer was 'home' but was caught in the complexity of the laws. With his father, also James, mother Ann and two siblings, Ann and Thomas, he was ordered to be removed from Cleobury Mortimer to Kidderminster in September 1816, having become chargeable.⁹⁴ They had been provided with 3s. 6d. occasional relief on September 5th.⁹⁵ Postons was born in Cleobury Mortimer in 1801 and his father had been born there in 1764, the son of John and

⁹² Smith, *The Wealth of Nations*, p.176.

⁹³ Malthus, *An Essay on the Principle of Population*, p.412.

⁹⁴ SA P71/L/15/303 *Settlement Records*.

⁹⁵ SA P71/L/1/5 *Overseers' Accounts*, September 5th 1816.

Eleanor.⁹⁶ His grandfather had moved there from Shelsley Beauchamp, Worcestershire, with the benefit of a certificate.⁹⁷ His father had been apprenticed at the age of 12 by an indenture, dated May 1st 1776, to a Kidderminster weaver, James Reynolds, whom he served a year and six months before Reynolds moved to Cleobury Mortimer where Postons served out the remainder of his apprenticeship. He had not rented property for more than ten pounds and had done nothing else to gain a settlement.

For all but eighteen months, the 52-year-old Postons senior had lived in Cleobury Mortimer. His settlement of birth was Cleobury Mortimer, but this was superseded by his settlement by parentage and particularly his father's certificate from Shelsley Beauchamp. Ordinarily, Postons snr. would have gained his own settlement in Cleobury Mortimer by serving the last forty days of his apprenticeship there, but he fell foul of a legal principle that the son of a certificated man could not gain a settlement by apprenticeship in the certificated parish.⁹⁸ Postons jnr. who took his settlement from his father, was ordered to be removed.

In the majority of removal cases (as high as 60 percent in Cleobury Mortimer), the settlement of those being removed was a result of hiring and apprenticeship. Although the removal could be many years after the event, it seems probable that younger adults were disproportionately affected. As Landau shows, and local evidence supports, young adults were removed even if not chargeable to the parish,⁹⁹ but to what extent were the laws of settlement and removal applied throughout the period in the union area, and how much did local mores play a part?

⁹⁶ SA P71/A/1/4 *Cleobury Mortimer Parish Registers*, April 10th 1764.

⁹⁷ SA P71/L/15/302 *Settlement Records*.

⁹⁸ Joseph Sayer, *Reports of Cases Adjudged in the Court of King's Bench, Beginning Michaelmas Term, 25 Geo. 2 Ending Trinity Term, 29 & 30 Geo. 2* (Dublin, 1790), p. 345.

⁹⁹ Landau, 'Who Was Subjected to the Laws of Settlement?'.

5.3.1 The laws of settlement

The laws of settlement were complex and detailed examination is covered elsewhere, but a summary of the main features of the legislation is required to understand their application in Cleobury Mortimer.¹⁰⁰ Though often referred to as the 1662 Settlement Act, this legislation did not provide for any entitlement to settlement, which was formally defined as follows:

a settlement is the right acquired in any one of the modes pointed out by the poor laws to become a recipient of the benefit of those laws, in that parish or place, which provides for its own poor, where the right has been last acquired. It is not forfeitable, and may be communicated from person to person [...]¹⁰¹

The acquisition of a new right (or even re-acquiring the same right) destroyed forever the previous right: the 1662 Act made it clear that a person had no option but to seek relief in the parish where he had acquired his last settlement, i.e. a pauper could have only one and could not choose.¹⁰² Settlement had hitherto been a common law issue where, *prima facie*, settlement was the place of birth, unless that settlement was replaced at some later time. For legitimate children, settlement followed the settlement of the father unless emancipated.¹⁰³ For many this was the simple end of the matter, but for others, it became immensely complex.

Prior to the 1662 Act, settlement was acquired by birth, or by residence – first on an indeterminate basis, then for three years, then for one year.¹⁰⁴ The 1662 Act effectively

¹⁰⁰ For example, in addition to Landau, see: Snell, 'Pauper Settlement'; Philip Styles, 'The Evolution of the Law of Settlement', *University of Birmingham Historical Journal* 9 (1963); Taylor, 'The Impact of Pauper Settlement 1691-1834'; *Poverty, Migration, and Settlement in the Industrial Revolution: Sojourners' Narratives* (Palo Alto, Calif.: The Society for the Promotion of Science and Scholarship, 1989); King, 'Poor Relief, Settlement and Belonging'; Norma Landau, 'The Laws of Settlement and the Surveillance of Immigration in Eighteenth-Century Kent', *Continuity and Change* 3, no. 03 (1988); Snell, 'Settlement, Poor Law and the Rural Historian: New Approaches and Opportunities'.

¹⁰¹ *Rex v St Mary's Cardigan*, 6 TR 116(a) [Term Reports 1785-1800] (1795).

¹⁰² *Justice of the Peace and Parish Officer*. 28th ed., 6 vols., vol. 4 (London: 1837), p.270.

¹⁰³ *Rex v Halifax. Burr.*, SC 806 [Burrow's Settlement Cases 1733-76] (1775).; Francis Charles Montague, 'Law of Settlement and Removal', *Law Quarterly Review* 4 (1888), p.50.

¹⁰⁴ 11 Hen. VII c.2 *An act for the correction of vagabonds and beggars, and concerning alehouses*, 1494; 19 Hen. VII c.12 *An act for punishment of vagabonds, and for ordering of alehouses*, 1503, and 1 Edw. VI c.3 *An act for the punishment of vagabonds, and for the relief of poor and impotent persons*, 1547; Jas. I c.7 *An act for the continuation and explanation of the statute made in the thirty-ninth year of the reign of the late Queen Elizabeth, intituled 'An act for the punishment of rogues, vagabonds, and sturdy beggars'*, 1603.

changed this to forty days, by providing a power for parish officials to remove someone in the first forty days of residence if they were likely to become chargeable. This did not mean that the incomer was in imminent need of relief. The act said a person could be removed within forty days after coming to settle in a tenement under the yearly value of ten pounds. Legal precedent very quickly established that ‘living on a tenement under £10 a year’ and ‘likely to become chargeable’ were convertible terms.¹⁰⁵ It is interesting to note that a clear distinction was drawn between ‘likely to’ and ‘may’ – the inference was that ‘if a man have sufficient credit and confidence reposed in him by another, as to be trusted with a tenement of 10*l.* per annum value, even out of charity, it is sufficient to answer the intent of the statute, because such an one is not likely to be chargeable’.¹⁰⁶

The forty-day residence qualification was changed in 1691 to a requirement to give forty days’ notice of intended residence.¹⁰⁷ Not many paupers did this, preferring to maintain a low profile and it effectively gave *carte blanche* to the parish officers to remove them at any time. James Taylor mentions that he never found an example of achieving settlement in this way.¹⁰⁸ The act retained the principle of a £10 annual rental as a qualification for a settlement. The definition of tenement gave rise to many cases in the courts. It was not a dwelling, or not simply a dwelling, as might be thought. In law a tenement means something which is held (from Latin *tenere*) rather than owned and could be rents or profits. So, for example, a rabbit warren held simply for killing rabbits, was a tenement; as was renting a dairy of cows for £3 10*s.*, where they were fed exclusively on lands of a value of £10 per annum; taking the hay, grass and aftermath of meadow at the annual value of £10; and taking potato grounds of the value of £10 per annum but for less than a year would gain a

¹⁰⁵ Richard Burn, ed. *Justice of the Peace and Parish Officer*, 17th ed., 4 vols., vol. 3 (London: 1793), p.637.

¹⁰⁶ Lewin, *A Summary of the Law of Settlement*, p.345.

¹⁰⁷ 3 & 4 Will. & Mary c.11 *An act for the better explanation and supplying the defects of the former laws for the settlement of the poor*, 1691.

¹⁰⁸ Taylor, *Poverty, Migration, and Settlement in the Industrial Revolution: Sojourners’ Narratives*, p.20.

settlement.¹⁰⁹ The 1691 Act added four new ways of acquiring settlement: serving in a parish office for a year; paying parish rates or local taxes; being hired for a year into service if unmarried and not having children; and being bound an apprentice and inhabiting in the parish.

It was also possible to derive a settlement by other means. For example, through parentage (a father's settlement took precedence over that of birth for a legitimate child); by marriage (wives took their husband's settlement); and by birth. Settlement by birth was complex and differed for legitimate and illegitimate children.¹¹⁰ For legitimate children the place of settlement was the place of birth but only until superseded by the settlement inherited by parentage. A child born to a certificated person could not gain a settlement by birth in the certificated parish. Illegitimate children took and retained as their settlement the place of birth. Orders of removal on the mother complicated the situation. A child born after an order was made but before removal (including one where the order was suspended) was settled in the mother's parish, unless an appeal was in progress and the order quashed, in which case the child was settled in the parish from which its mother was removed. A child born on the road, *in transit*, from one parish to another after an order of removal, took the settlement not of the parish where born but of the destination parish. However, under a law passed in 1743, a child born illegitimately to a woman apprehended as a vagrant and taken to a justice of the peace took the settlement of the mother.¹¹¹ Settlement could be achieved by ownership of an estate or immoveable property, supposed to be over £30 (though Taylor states that this was not always enforced).¹¹² It could also be confirmed by being in receipt of regular relief.

¹⁰⁹ Harrison, *Harrison's Analytical Digest of All the Reported Cases*, vol.2, pp.1698-1700.

¹¹⁰ Const, *Digest of the Laws Relating to the Poor* pp.213-6.

¹¹¹ 17 Geo. II c.5 *An act to amend and make more effectual the laws relating to rogues, vagabonds, and other idle and disorderly persons, and to houses of correction*, 1743; 4 & 5 Will. IV c.76 *An Act for the Amendment and better Administration of the Laws relating to the Poor in England and Wales*, 1834.

¹¹² Taylor, *Poverty, Migration, and Settlement in the Industrial Revolution: Sojourners' Narratives*, p.20.

Lastly, a pauper without any other obvious or discoverable settlement was settled where she happened to be.

5.3.2 Settlement examination and removal

The process was convoluted and governed by legal niceties, leading to many pitfalls for the unwary. Parish officers had to make a formal complaint to the justices. An examination of the pauper(s) ensued to determine the place of legal settlement and this would normally be followed by an order to remove if the place of settlement were not in the parish. Orders could be suspended in the case of illness and infirmity and both the receiving parish and the paupers themselves could appeal. Wording was all. An order stating that the pauper *may* become chargeable instead of *was likely to* become chargeable, was held to be bad.¹¹³ A pauper's statement of what he had heard and believed as to the place of his birth was insufficient to support an order for his removal, as it was covered by the rules on hearsay evidence. More corroborating evidence was needed.¹¹⁴ However, a deathbed statement was sufficient as such testimony was uniformly received in criminal cases.¹¹⁵ Again, hundreds of cases were reported in the manuals of the time.¹¹⁶

There were some odd aspects to settlement. For example, anyone putting on a play or other entertainment of the stage, without a licence from the Lord Chamberlain, or the king's authority and without a legal settlement in the place performed, could be deemed a rogue and vagabond.¹¹⁷ A man hired for a year while unmarried would gain a settlement in his master's parish, but were he to sleep with his wife out of the parish in which the master lived, and

¹¹³ Const, *Digest of the Laws Relating to the Poor*, p.199 (92).

¹¹⁴ Harrison, *Harrison's Analytical Digest of All the Reported Cases*, vol.2 col. 2927.

¹¹⁵ Const, *Digest of the Laws Relating to the Poor*, p.197 (66).

¹¹⁶ Idem pp.192-283.

¹¹⁷ 10 Geo. II c.28 *An Act to explain and amend so much of an Act made in the twelfth Year of the Reign of Queen Anne, intituled, An Act for reducing the Laws relating to Rogues, Vagabonds, sturdy Beggars and Vagrants, into one Act of Parliament; and for the more effectual punishing such Rogues, Vagabonds, sturdy Beggars and Vagrants, and sending them whither they ought to be sent, as relates to common Players of Interludes*, 1736;; 17 Geo. II c.5.

without the master's knowledge, he would gain a settlement there.¹¹⁸ Considering some of the cases in the union parishes, will help to understand better how the complex rules were applied. Despite the limited number of cases, there are examples of all the types of settlement (see *Table 15*).

Table 15 - Source of settlement in those being removed¹¹⁹

Parish	Tenement over £10	Parish office	Rates & taxes	Estate over £30	Parentage	Hiring for a year	Apprentice- ship	Marriage	Birth
Cleobury Mortimer	3	1	4	4	11	34	21	6	4
Mamble			1	1	7	15	3		1

Steve King makes the points both that relative to the large numbers of the poor and vulnerable, it is striking that so little settlement documentation exists per annum for the late eighteenth century and that it is seasonal and episodic.¹²⁰ However, by examining overseers' accounts it seems that it really was the case that there was relatively little activity, not that the documentation has gone missing. The 431 original settlement examinations and orders which exist for Cleobury Mortimer may well therefore be a large number,¹²¹ but they average only just over two per annum for the first half of the eighteenth century, around four for the second half and just under four for the first part of the nineteenth century until they end in 1833. There are a few years with double the average as well as some clear peaks in activity.¹²² An extraordinary twenty-one examinations took place in July 1767: one third of these were for families whose head of household had the occupation of 'nailor'. There must

¹¹⁸ Harrison, *Harrison's Analytical Digest of All the Reported Cases*, vol.2 col. 1688.

¹¹⁹ The table shows a breakdown of the acquisition of settlement in those subject to removal orders. Source: SA *Settlement Records* P71/L/15.

¹²⁰ King, 'Poor Relief, Settlement and Belonging', p.83.

¹²¹ *Poor Law Administration, Settlement Records*. SA P71/L/15 covering the period 1694 to 1833; of the other union parishes, there are 74 items for Mamble: WAAS BA9659/6 (xxxii), (xxxiii) and (xxxiiii) *Mamble Parish Records*; and only four for Aston Botterell: SA P17/L/5 and P17/L/6 *Aston Botterell Parish Records, Poor Law Administration, Settlement Records*; for Cleobury Mortimer in 1767 there was one more examination in September and one removal order in December. Note that only 262 of these documents are covered by the period of study.

¹²² 1757-1759 (24), 1762 (11), 1767 (23), 1772-73 (31), and 1816-18 (38).

have been something that differentiated certain families in the minds of the officials compared with others who might also have been removed,¹²³ but there is no evidence to explain whether or why nailers were singled out.

There are only thirty-four surviving removal orders relating to Cleobury Mortimer from 1770 to 1795. Of those, two were actually chargeable to the parish and four were chargeable to other parishes and removed to Cleobury Mortimer. The latter was often a documentary default phrase that did not need to be changed before 1795, even if some relief had begun. Over 80 percent were judged ‘likely to be chargeable’.

5.3.3 Modes of acquisition of settlement

William Dudley, born in Welshpool, Montgomeryshire, came with his father to Cleobury Mortimer to work with him at Cleobury Forge as a finery man, by way of being an apprentice. He received no wages but meat, drink and lodging and had no indenture. As he was twenty-four when he came with his father, he could not inherit a new settlement from him. His apprenticeship was not valid, so his place of settlement would have been Welshpool if his father was legally settled there.¹²⁴

As with James Postons, Dudley inherited his settlement by parentage under common law. There is no intimation of why the examination took place and no corresponding order survives.¹²⁵ The examination is of the simplest form – a single man, who has done nothing of his own to gain a settlement. At just over 15 percent, settlement by parentage was the third most common finding in examinations. Without some other means of gaining a settlement, Dudley would always be linked to Welshpool. He was not born in Cleobury Mortimer but that made no difference. The only way of gaining settlement by birth was to be born

¹²³ King, 'Poor Relief, Settlement and Belonging', p.85.

¹²⁴ SA P71/L/15/374 *Settlement Records*.

¹²⁵ Given the expense and trouble of conducting examinations, it is likely that an order was at least planned.

illegitimate. Bastard children were, in law, *filius nullius*, having no parents so, of necessity, settlement was the place of birth,¹²⁶ but only five removals over a period of more than sixty years were founded on settlement by birth.

William Dudley failed to establish his settlement by apprenticeship which otherwise was the second most common way of achieving, wittingly or unwittingly, a settlement – though many would have been eclipsed by later hirings and the like. As with all other settlement laws, it was slightly more complex than it appeared; for example, serving the apprenticeship in one place and residing in another meant the settlement was where the apprentice resided even if, for example, that residence was at weekends only during the year.¹²⁷ Settlement was gained by serving the apprenticeship and residing forty days in the parish: the last forty days were most relevant.¹²⁸ The forty-day rule was very important and led to much interpretation in the courts. However, it was also necessary to have a valid apprenticeship, which meant an indenture was required and the term should be served, or properly ended. John Price, born in Little Comberton, Worcestershire, where his father was legally settled, was apprenticed to Joseph Wolley of Holycross, Pershore, Worcestershire, but only served four out of seven years before his master died. Wolley's widow gave up the indenture, so his place of settlement was adjudged to be Holycross where he had spent the last forty days of his apprenticeship.¹²⁹ Apprenticeships could be brought to an end, for example, by buying out, but money had to change hands, or by being assigned to another master. Should the master die, the widow or executor could voluntarily terminate the indenture or

¹²⁶ Wilfrid Hooper, *The Law of Illegitimacy: A Treatise on the Law Affecting Persons of Illegitimate Birth, with the Rules of Evidence in Proof of Legitimacy and Illegitimacy; and an Historical Account of the Bastard in Mediaeval Law* (London: Sweet and Maxwell, 1911), p.103.

¹²⁷ Harrison, *Harrison's Analytical Digest of All the Reported Cases*, vol.2, pp.1693-4.

¹²⁸ 3 & 4 Will. & Mary c.11 s.8; 8 & 9 Will. III c.30 s.4.

¹²⁹ SA P71/L/15/185 *Settlement Records*.

assign the apprenticeship by agreement, failing which the apprenticeship was determined after three months.¹³⁰ Wolley thus gained his settlement at Holycross.

Notice of intended settlement introduced in 1691 did not apply to people hired for a year: they could achieve their settlement by residing for forty days.¹³¹ That was changed in 1697, such that service for a full year was required.¹³² In his research, some of which covered three Shropshire parishes, Taylor found that as many as two-thirds of settlements were derived directly or indirectly from hiring or apprenticeship.¹³³ The overall figure from the extant documents here is a shade under 60 percent. It is surprising that the figure is not much higher. The majority of people had to work for a living and in rural areas such as that surrounding Cleobury Mortimer with its many farms, labourer, farm servant and domestic servant would have had to move around from place to place as market conditions fluctuated. Some of the settlement examinations relate as many as six individual hirings. Yearly hiring did not go into decline in this area, compared to more arable areas to the east.

The basic rules for achieving a settlement by hiring and service were to be unmarried (widowers qualified, even with children, if they were emancipated),¹³⁴ with no children, to be lawfully hired for a year and to continue in the same service for a year. There was nothing to stop a master from hiring someone for less than a year expressly to prevent a settlement. However, hiring for a year with service for a year and then endeavouring to manipulate that to prevent a settlement, could be deemed fraudulent by the courts. An oddity of the law, as interpreted in the courts, was that any limitation on hours in the agreement would prevent a

¹³⁰ *The Laws Respecting Masters and Servants; Articled Clerks, Apprentices, Journeymen and Manufacturers.*, (London, 1795), p.41.

¹³¹ 3 & 4 Will. & Mary c.11 s.7.

¹³² 8 & 9 Will. III c.30 s.4.

¹³³ Taylor, 'The Impact of Pauper Settlement 1691-1834', p.73.

¹³⁴ Harrison, *Harrison's Analytical Digest of All the Reported Cases*, vol.2, p.1677.

settlement. For example, service under a hiring for seven years, to work only thirteen hours in the day (and Sundays excepted), would not gain a settlement.¹³⁵

In later life, these hirings could have consequences that may have been unforeseen at the time. It is quite common to see examnants declare a hiring from ten to twenty years previously and even thirty or as many as fifty-three.¹³⁶ Thomas Dee, living in Bridgnorth, was examined in October 1821 and declared that ‘about fifty-three years ago’, he was hired to Charles Whitcombe of the parish of Cleobury Mortimer. He entered into his service and continued for two years since when he did nothing to gain a settlement elsewhere.¹³⁷ It is not known how long Dee lived in Bridgnorth and whether he then considered it ‘home’, or whether he felt safe in the knowledge that he had a settlement at Cleobury Mortimer. This case, however, raises the question of whether individuals such as Dee spent the intervening years moving from place to place with occasional work, or regular work not conforming to the hiring rules. Is it possible that they selectively recalled a hiring to gain a preferential settlement, or, as young adults, were they naïve in not thinking about the consequences?

Occasionally there is an examnant with multiple hirings. John Williams said he was born in the parish of Upper Bury, Salop, where his father was legally settled.¹³⁸ He was first hired at the age of twelve in the same parish and served three years. He was then in Much Wenlock for a year, followed by Acton Burnell for two years, after which he served in Alveley before ending up serving William Cock in Cleobury Mortimer for a year.¹³⁹ He was living in Neen Savage but married in Cleobury Mortimer, where two of his children were born. Williams would have been aged about 20 or 21 at the end of his service, though how

¹³⁵ *Idem* vol.2, p.1683 (*Rex v Inhabitants of Kingswinford*, 4 TR 219 (1791).).

¹³⁶ SA P71/L/15/245 *Settlement Records* (William Gosling: fifteen years); P71/L/15/240 (Samuel Mallard: thirteen years); P71/L/15/233 (William Baldwyn: nineteen years); P71/L/15/269 (Richard Dallows: thirty years).

¹³⁷ SA *Settlement Records* P71/L/15/346.

¹³⁸ It is not clear where is meant by Upper Bury.

¹³⁹ SA P70/L/15/162 *Settlement Records*.

old he was when he was married is not known, so there may be a period missing. Ostensibly, his fifth and final settlement was Cleobury Mortimer.

Sarah Boden was baptized in Bitterley in 1797, the daughter of Samuel and Mary Boden.¹⁴⁰ In 1816, she was removed from Hopton Wafers to Cleobury Mortimer.¹⁴¹ Three years later in March 1819, pregnant, she was ordered to be removed from the Foreign Liberty of Kidderminster to Cleobury Mortimer.¹⁴² She was then re-examined in Cleobury Mortimer a week later. Her examination stated that at about the age of fourteen or thereabouts, she twice served a Mr Crump of Ditton in the parish of Cleobury Mortimer, both times for a full year and received her wages. About two or three years afterwards she went to a Mrs Hailes of the Moore End in the parish of Mamble. Although she hired herself for a year, she hired herself to a Mr Godfrey of Kidderminster on the penultimate day of her service. She related that ‘young Mrs Hailes on that day going to Kidderminster fain consented to carry her bundle part of the way to her new service and her mistress urged her to go on that day and paid her all her wages otherwise she should have stayed till the following day and completed her year.’¹⁴³

By going off a day early and not completing her service, she did not gain any settlement in Mamble and her settlement remained as Cleobury Mortimer from the previous hirings. There is no information in the examination as to whether she completed her service with Mr Godfrey, but her removal from Kidderminster suggests that it was incomplete. The overseers of Cleobury Mortimer would certainly have paid attention to the point. Her daughter Susannah was baptized in Cleobury Mortimer, so it appears she remained there, but there are no entries relating to her in the overseers’ accounts.¹⁴⁴

¹⁴⁰ SA P34/A/1/3 *Bitterley Parish Registers*, April 9th 1797.

¹⁴¹ Ibid. P71/L/15/307.

¹⁴² Ibid. P71/L/15/333.

¹⁴³ Ibid. P71/L/15/334.

¹⁴⁴ SA P71/A/2/1 *Cleobury Mortimer Parish Registers*, July 11th 1819.

None of the surviving orders prior to 1770 are for pregnant women. Those that do survive are for the period 1806-1831 and they represent 20 percent of the total orders surviving for that period. They are not all orders of removal from Cleobury Mortimer – the records also contain orders of removal to the parish. 22 percent of the ‘outgoing orders’ and 17 percent of the ‘incoming’ orders relate to pregnant women. This could signify a consistent approach towards unmarried mothers or be related to the rate of illegitimate pregnancy, though no firm conclusion can be drawn as the extent of the original orders is not known. Steve King, however, found no evidence of sustained attempts to remove unmarried mothers in the counties of Lancashire, Somerset or Wiltshire.¹⁴⁵ There are no recorded examples of pregnant women being forcibly removed from Cleobury Mortimer, or from Mamble.¹⁴⁶

The potential costs of maintaining a child were high, so parishes could fall back on the provision that unmarried pregnant women were deemed to be chargeable simply by being pregnant.¹⁴⁷ Summary removal was what would be expected by a woman whose settlement was elsewhere. There is one example of an order being suspended due to the ‘advanced state of pregnancy’. Elizabeth Corfield was ordered to be removed to St George, Hanover Square, Middx. in March 1815.¹⁴⁸ A certificate from local surgeon Thomas Pope, that she was in an advanced state of pregnancy and it would be dangerous to move her led to its suspension for three months. It appears that she remained in Cleobury Mortimer. Her daughter Susannah

¹⁴⁵ King, 'The Bastardy Prone Sub-Society Again: Bastards and Their Fathers and Mothers in Lancashire, Wiltshire and Somerset, 1800-1840', pp.66-85.

¹⁴⁶ Forcible removal is frequently mentioned. For example, in the *Retiring Address of the Chairman of the Ledbury Board (the Revd. J. H. Underwood) to the guardians*, March 16th 1841, quoted in G.R. Wythen Baxter, *The Book of the Bastiles, or the History of the Working of the New Poor-Law* (London: John Stephens, 1841) ‘... the atrocities so frequently practised, when parish officers carted wretched women, on the very verge of childbed, from one parish to another, lest their hapless infants should gain a settlement’; the case of the baby being delivered in the removal cart – evidence given by John Dodgson, of Bewcastle, Cumberland: *PLR* Appendix C, p.397. See also fn. 34.

¹⁴⁷ 35 Geo. III c.101 s.6.

¹⁴⁸ SA P71/L/15/286 *Settlement Records*.

was baptized in September 1815 and buried a few months later in January 1816.¹⁴⁹ In ordinary circumstances, the settlement of a bastard, as *filius nullius* was, *ex necessitate*, its place of birth.¹⁵⁰ However, there were exceptions, key amongst which was a provision that once an order was made, even if suspended, the settlement of the child when born would be that of the mother.¹⁵¹ So the parish of St George was responsible, but there is no apparent reason why she stayed in Cleobury Mortimer.

Elizabeth Blanton, illegitimate daughter of Mary Blanton and Joseph Edwards, was baptized in Milson in November 1752.¹⁵² In 1772, she was pregnant and living in Cleobury Mortimer.¹⁵³ The reputed father was one John Forrester of Hopton Wafers who, ironically, later became an overseer of the poor in that parish, charging other unfortunate unmarried mothers with being ‘lewd women’.¹⁵⁴ She was removed by order to Milson, where her son John was baptized in March 1773.¹⁵⁵ She had at least one other child, Ann, baptized in Milson, in February 1780.¹⁵⁶ She then at some time moved back to Cleobury Mortimer where she was buried in October 1786 at the age of 34.¹⁵⁷ Elizabeth Blanton acquired her settlement in Milson as did her children. For a woman who worked by being hired as a servant for a year, this could mean changing settlements. Were she to be pregnant more than once with an illegitimate child she could be removed therefore to differing places. Ann Robinson was born in Coreley and baptized there on September 22nd 1805.¹⁵⁸ Yet, she was ordered to be removed from Coreley to Cleobury Mortimer at the beginning of June 1826, described as a

¹⁴⁹ SA P71/A/2/1 *Cleobury Mortimer Parish Registers* September 17th 1815; P71/A/4/1, January 28th 1816.

¹⁵⁰ Hooper, *The Law of Illegitimacy: A Treatise on the Law Affecting Persons of Illegitimate Birth, with the Rules of Evidence in Proof of Legitimacy and Illegitimacy; and an Historical Account of the Bastard in Mediæval Law*, p.103.

¹⁵¹ 35 Geo. III c.101 s.6.

¹⁵² SA P189/A/1/1 *Milson Parish Registers*, November 29th 1752.

¹⁵³ SA P71/L/14/58 *Bastardy Examinations*, September 5th 1772.

¹⁵⁴ SA QS/10/1 *Calendar of Prisoners*, October 1st 1787.

¹⁵⁵ SA P71/L/15/176 & 178 *Settlement Records*, October 7th 1772.

¹⁵⁶ SA P189/A/1/1 *Milson Parish Registers*, February 27th 1780.

¹⁵⁷ SA P71/A/1/4 *Cleobury Mortimer Parish Registers*, October 24th 1786.

¹⁵⁸ SA P82/A/1/4 *Coreley Parish Registers*, September 22nd 1805.

‘singlewoman [*sic*] being with child’ and being actually chargeable to the parish.¹⁵⁹ Her son, Thomas, was baptized in Coreley on August 27th 1826: because of family connections, the removal did not take place, or she returned.¹⁶⁰

Five years later, she was subject to another more lengthy examination when she was living in Cleobury Mortimer and was six months pregnant. Her examination relates that she had been hired for three years to a Mr Horton of the Down, Hopton Wafers, and again for a year at the wages of four pounds, which she had received and had served out her year. After that she had hired herself to a Mrs Jones of Knighton, Worcestershire, though before the end of the year she was engaged to her mistress’ daughter-in-law at Ashford Bowdler and then to her former mistress’ son for a year. After that she kept house for a Mr Powis but received no wages or remuneration.¹⁶¹ No removal order survives, but it appears that she moved or was removed to Hopton Wafers. Her son, John Robinson, was baptized in Hopton Wafers in January 1832.¹⁶² Ann Robinson would have taken the settlement of her father to begin with, which would appear to have been Cleobury Mortimer where she was first ordered to be removed. She then acquired a settlement in Hopton Wafers, through her hirings to Mr Horton but that should have been superseded by a settlement in the parish in which her former mistress’ son lived. As she received no wages from Mr Powis, she would not have acquired a new settlement. It is unclear why she returned to Hopton Wafers.

Sometimes, however, compassion is shown. In 1851, Sarah Hopkins left Neen Savage at the age of eighteen to live in Bridgnorth as a servant with her uncle, named Kitson. He seduced her and she was somehow persuaded to stay with him, living as his wife until he died ten years later. By that time, she had five children and was destitute. She was removed from

¹⁵⁹ SA P71/L/15/363 *Settlement Records*, June 5th 1826.

¹⁶⁰ SA P82/A/2/1 *Coreley Parish Registers*, August 27th 1805.

¹⁶¹ SA P71/L/15/400 *Settlement Records*.

¹⁶² HW *Parish Registers* January 7th 1832.

Bridgnorth to Neen Savage and admitted to the workhouse. One child died and the eldest girl went into service. The two other girls were sent to the school at Quatt and she was left with her son in the workhouse, which she hated. She wanted to leave, but that would mean the girls being taken out of the school. The guardians applied for special sanction to allow them to pay her out-relief and keep the girls at school, permitting her to leave the workhouse.¹⁶³

The settlement laws were unforgiving. Single women without children suffered disproportionately, although the opposite applied for single women with children – only one was removed. The majority of people removed – in either direction – had acquired their settlement as a result of a hiring, creating a great deal of uncertainty as to where an individual may end up. For some, a strong sense of belonging to a particular parish outweighed any fear of possible punishment and they defied removal orders. It is difficult to imagine what it must have been like to have an order of removal served and enforced. For those affected, the system did not conform to any notion of a ‘welfare state in miniature’. Yet, for single mothers with children, who were not removed and were provided with relief, the system clearly operated as one.

5.4 Crime and punishment

Several historians have attempted to determine the links, if any, between poverty and criminal behaviour, but without any real consensus.¹⁶⁴ Some of the research shows differences

¹⁶³ TNA MH 12/9886 Letter from the guardians to the PLB *Correspondence*, March 8th 1866 and reply March 20th 1866.

¹⁶⁴ For example: William A. Miles, *Poverty, Mendicity, and Crime, or, the Facts, Examinations, &c. Upon Which the Report Was Founded, Presented to the House of Lords to Which Is Added a Dictionary of the Flash or Cant Language Known to Every Thief and Beggar* (London: Shaw & Sons, 1839); Heather Shore, 'Crime, Criminal Networks and the Survival Strategies of the Poor in Early Eighteenth-Century London', in *The Poor in England 1700-1850: An Economy of Makeshifts*, ed. Steven King and Alannah Tomkins (Manchester: Manchester University Press, 2003); Anne-Marie Kilday, 'Criminally Poor?', *Cultural & Social History* 11, no. 4 (2014); Jütte, *Poverty and Deviance in Early Modern Europe*; A.W. Ager, 'Crime and the Economy of Makeshifts: Kent and Oxfordshire 1830-1885' (Unpublished PhD thesis, Oxford Brookes University, 2011); *Crime and Poverty in 19th-Century England: The Economy of Makeshifts*, ed. Anne-Marie Kilday, *History of Crime, Deviance and Punishment* (London: Bloomsbury, 2015).

between patterns in urban and rural areas, but there is not enough coverage of the country to show whether rural patterns were consistent. Philips found that theft of food was not by starving people, but often the result of deliberate planning. He also found, surprisingly, that hunger was rarely used as a defence.¹⁶⁵ Confusingly, however, two pages later he notes that much of sheep stealing was carried out by the same class as those involved in stealing poultry, in order to supplement their diet.¹⁶⁶

Examination of the calendars of prisoners for the union parishes from 1786-1870 shows that 30 percent of those stealing food received sentences of one month or less, compared with only 14.7 percent for stealing clothing. However, John Frost was transported for four years for stealing a leg of pork after a previous conviction,¹⁶⁷ whilst Benjamin Palmer, 22, received ten years for stealing rather more – a quantity of bacon, hanged beef, candles, butter, mutton, bread, cheese, and other articles.¹⁶⁸ Margaret Jordan was transported for seven years for receiving those goods, but her son William, charged with being privy to this, was acquitted (though a year later, aged 16, with his 13-year-old brother, he was sent to hard labour for seven years for stealing some horse gearing).¹⁶⁹ Three people clearing out a larder suggests advance preparation but it must have been driven by something – and deprivation is a strong candidate. It is difficult to imagine that they would not have known the potential penalty and seems highly unlikely that they were simply naïve. Ager's tacit implication that pre-planning did not have deprivation as a root cause seems unfair.

¹⁶⁵ Philips, *Crime and Authority in Victorian England*, pp.201, 203.

¹⁶⁶ Idem, p.205.

¹⁶⁷ SA QS/10/10 *Calendars of prisoners*, March 17th 1863.

¹⁶⁸ Idem. QS/10/6, October 20th 1840.

¹⁶⁹ Idem. QS/10/6, 4th April 1840.

The circumstantial case for crime driven by deprivation is supported by seasonal statistics, as found earlier by Peter King and reported by Ager.¹⁷⁰ King found that property-based crime decreased in the summertime when work was more plentiful, and Ager's analysis showed that food thefts accounted for only a small percentage of summer assize cases. More tellingly, analysis of the crimes in the Cleobury Mortimer area shows that both food-related theft and all theft more than doubled in the winter months. Those dark winter months may have weighed heavily, because more than 20 percent of the food-related crimes were thefts of alcoholic beverage. Only five recorded crimes included any opportunistic element where items other than food were stolen at the same time.

Just over a quarter of those indicted were involved in some form of joint enterprise and tried together. Over 60 percent of those were family members – mother and daughter, father and son, siblings, husband and wife. As argued by Timothy Shakesheff, this may be a combination of relations cooperating to ensure the solvency of a household and less likelihood of betrayal, although this of course presupposes that the crimes in question were driven by necessity not criminality.¹⁷¹

A rough analysis (*Table 16*) of the types of crime shows that theft and burglary were by far the more common crimes. Game offences, which might be thought to be common in rural areas – particularly with small numbers of landowners – were very few. The labouring classes long saw the odd rabbit or hare as 'fair game' and it might be thought that a blind eye was turned to this level of poaching, but daytime poaching was a petty offence tried by local magistrates and so would not appear in these statistics.

Table 16 - Types of theft and burglary

	Females	Males	Total	
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¹⁷⁰ King, *Crime, Justice, and Discretion in England, 1740-1820*, pp.194-5; Ager, *Crime and Poverty in 19th-Century England*, p.64.

¹⁷¹ Timothy Shakesheff, *Rural Conflict, Crime, and Protest: Herefordshire, 1800-60* (Woodbridge: Boydell, 2003), pp.123-6.

				percentage
Clothing	22	42	64	22.10
Valuables	13	34	47	16.30
Food	10	31	41	14.20
Grain and fodder	7	33	40	13.80
Other thefts	13	21	34	11.80
Tools and equipment	1	31	32	11.10
Wood	1	13	14	4.80
Burglary with intent	2	7	9	3.10
Coal	8		8	2.80
Grand Total	77	212	289	

Theft of fowls could be seen as driven by hunger, either to feed a family or to sell for easy money. Ager recites the case of a man who stole a single fowl and was rewarded with a week's imprisonment.¹⁷² He suggests that the man may have been of previously good character and that the crime was not considered serious, but Ager questions why someone would steal given the effect on their employability and impact on their reputation. The picture in the Cleobury Mortimer area was somewhat different. Of those found guilty (twenty-four out of thirty-two) of stealing fowls (chickens, ducks, turkeys), almost all received sentences of more than three months and, in several cases, transportation, though admittedly for repeat offences. These were serious punishments. As Ager asks: were the miscreants naïve or driven to desperation? He concludes that either might have been the case, but without knowing the circumstances of each individual, it is not possible to answer.

Theft of clothing figured largely (*Table 16*). It is not easy to tell whether thefts were driven by want, or by an intention to sell. Stealing a pair of breeches or a pair of shoes is different from the theft of a dozen silk handkerchiefs or a whole wardrobe of clothing. Punishment typically ranged from three to six months' imprisonment, although James Williams was transported for seven years for stealing a hat and fifteen-year-old Louisa Passey for three years for stealing a dress and apron. She had offended before and was sentenced in

¹⁷² Ager, *Crime and Poverty in 19th-Century England*, p.65.

1863.¹⁷³ Two young men suffered the same fate in similar circumstances – the only offence for which transportation was recorded in the area that year. Theft of clothing was much more common than the statistics suggest – clothes being very easy to pawn.¹⁷⁴ In Field Lane in London, the setting for Fagin’s den in *Oliver Twist*, it was believed that several thousand handkerchiefs were handled every week.¹⁷⁵

Despite very harsh sentences in the first half of the period, many still re-offended and suffered the consequences. Women generally fared better than men, unless they were found – or pleaded – guilty.

Table 17 - Proportion of females committing crimes

	Total offenders	Percentage of total	Percentage female
Children	15	3.7	40
Youths	116	28.5	25
Young adults	81	19.9	25
Adults	158	38.8	18
Older people	25	6.1	24
Elderly	12	2.9	25

Despite these outcomes over 10 percent of the indictments were for repeat offenders, one-third of them women, many in their teens (see *Table 17*). In most cases, the sentence for the last offence was harsh – three to seven years transportation, or death, though reprieved. Mary Shakeshaft fared badly, being transported for seven years at the age of 20 for stealing a shirt after breaking and entering.¹⁷⁶ Her first offence at age 17 was to be found concealed in a chest in a house, with felonious intent.¹⁷⁷ Georgiana Hutchinson was luckier – aged 12, no bill was found to a charge of obtaining cake by deception and aged 13, not guilty of stealing a

¹⁷³ SA QS/10/8 *Calendars of prisoners* June 28th 1852; QS/10/10, January 5th 1864.

¹⁷⁴ Philips, *Crime and Authority in Victorian England*, pp.196-7; Barry Reay, *The Last Rising of the Agricultural Labourers: Rural Life and Protest in Nineteenth-Century England* (Oxford: Clarendon Press, 1990), p.71.

¹⁷⁵ *Chambers's Journal of Popular Literature, Science and Arts* (Edinburgh: W & R Chambers, 1858), p.231.

¹⁷⁶ SA QS/10/1 *Calendars of prisoners*, April 15th 1801.

¹⁷⁷ *Ibid.* October 2nd 1798.

pair of shoes.¹⁷⁸ Attitudes and sentencing had changed considerably in the intervening ninety years. However, there seems little concrete evidence to bear out any commonly held view that the poor were responsible for much of the crime committed – though this may be a feature of a rural, as opposed to urban, area.

5.5 Conclusions

The breakdown of traditional marriage today means that illegitimacy is not viewed with the same stigma as in Victorian times where ‘heterosexual monogamous marriage [was] the only respectable family formation’,¹⁷⁹ though inheritance obstacles still remain. For a long time in England, illegitimacy, while not the norm, was not unacceptable socially, resulting as it did from high rates of premarital sexual activity, with the consequent pregnancies.¹⁸⁰ The rosy picture of Victorian womanhood, ‘she had a delightful reserve, the maiden of the middle eighteen hundreds ...’,¹⁸¹ contrasts the view of Duncan Crow: ‘For a woman the dangers of dalliance were great. If she was found out, she was ruined. Unlike a man, a woman got no second chance’.¹⁸² The rise of late-Victorian respectability on matters of sex meant that illegitimacy took on the negative connotations that lasted until quite recent modern times.¹⁸³

Whilst widespread across the country, there are no clear reasons for the increase other than a change in sexual mores and a realisation that the censure and financial consequences of having an illegitimate child were not as great as might have been feared. Nevertheless, the authorities saw it as a significant economic problem. Although at times the remedies were

¹⁷⁸ SA QS/10/10 *Calendars of prisoners*, April 7th 1885, April 6th 1886.

¹⁷⁹ Frost, ‘The Black Lamb of the Black Sheep’: Illegitimacy in the English Working Class, 1850-1939’ p.295.

¹⁸⁰ Barry Reay, ‘Sexuality in Nineteenth-Century England: The Social Context of Illegitimacy in Rural Kent’, *Rural History* 1, no. 2 (1990) p.221; J. Robin, ‘Prenuptial Pregnancy in a Rural Area of Devonshire in the Mid-Nineteenth Century: Colyton, 1851-1881’, *Continuity and Change* 1, no. 1 (1986) p.114.

¹⁸¹ E.B. Harrison, ‘The Victorian Woman’, *The nineteenth century and after: a monthly review* 58, no. 346 (1905) p.951.

¹⁸² Duncan Crow, *The Victorian Woman* (New York: Stein and Day, 1972) p.53.

¹⁸³ Peter Cominos, ‘Late-Victorian Sexual Respectability and the Social System’, *International Review of Social History* 8, no. 1 (1963) pp.18-48.

harsh, there is evidence that mothers and their illegitimate children were not left destitute. There is no real evidence of the so called ‘bastardy prone sub-society’.¹⁸⁴ Even the teachings of the established church were tempered by honest views such as those of the Puritan vicar who in 1604 is recorded as saying ‘... when the Childe ys Christened yt ys noe bastarde’.¹⁸⁵ The social and legal history of bastardy is one which has not received much conclusive research and, as always, it is in the individual stories where the real interest lies. Those stories show that in the area studied here, tolerance was the norm. Fathers were pursued but for financial reasons and only a very few were jailed. For a short period, a few mothers were jailed, but this then stopped. Mothers and their children not only were looked after reasonably well but the records give an impression of, if not compassion, doing right by those less fortunate in a ‘matter of fact’ way.

Drawing conclusions from the documentation is difficult, but there are some things that seem to be specific to Cleobury Mortimer. Over 60 percent of the surviving Cleobury Mortimer settlement papers are removal orders compared with 36 percent for settlement examinations. Other research covering sixty-seven parishes, found only twenty-eight matching removal orders out of 1,453 settlement examinations in total – only 2 percent.¹⁸⁶ For Cleobury Mortimer and Mable, the figure is 28 percent, which suggests that more examinations started with an intention to remove. Removal was an expensive business – and lucrative for some, especially the lawyers and magistrates, who were paid a fee.

¹⁸⁴ A term to denote ‘a series of bastard-producing women, living in the same locality, whose activities persisted over several generations, and who tended to be related by kinship or marriage’, originating with Karla Oosterveen in Laslett and Oosterveen, ‘Long-Term Trends in Bastardy in England’ and expanded on by Laslett in Laslett, ‘The Bastardy Prone Sub-Society’. However, in three communities which Barry Reay investigated in detail, illegitimacy was almost more the norm and he concluded that if a sub-society existed, it was one of the ‘sexually pure’. : Reay, *Microhistories*, p.212.

¹⁸⁵ Cheshire Record Office, Chester consistory court, EDC 5 (1604)/24 – quoted in Adair, *Courtship, Illegitimacy and Marriage in Early Modern England*, p.39 .

¹⁸⁶ Landau, ‘Who Was Subjected to the Laws of Settlement?’, p.143; it is assumed that she means that removal orders were not found in the same bundles as it would be highly unlikely that they were attached to each other.

There were different reasons for determining settlement in Cleobury. Every type of settlement is represented with the exception of someone with an unknown settlement and someone who was settled by virtue of being granted relief. The majority, however, were due to hirings and apprenticeships – 64 percent for both Cleobury and Mamble. The other feature that is specific to Cleobury is who was removed. Overall, twice as many people were ‘returned’ to Cleobury Mortimer as removed. However, these were not all people who originated in the area – quite a few of these were originally from elsewhere but had gained a settlement by hiring or apprenticeship.

Single women were disproportionately removed. More than three times as many single women were removed from Cleobury Mortimer as single men, whereas the number being returned was more or less the same for men and women.¹⁸⁷ Although just over half the removals in both directions were families, the difference in the number of single women with children being removed is striking – only one removed from Cleobury Mortimer, but 14 percent of those orders in the other direction. It is astonishing to realise that this system was on the statute books for over 250 years until 1929 and up to 15,000 people a year were being removed up to the First World War.¹⁸⁸ However, it is even more shocking to find that it was re-enacted, with all its complexity, in 1930 before finally only being abolished in 1948 when the National Assistance Act might be said to have created a national, rather than parish, settlement. Indeed, local entitlements in welfare and education persist in many ways today, dependent upon residence.

¹⁸⁷ Five single men removed vs. seventeen single women; twenty-six single men ‘returned’ vs. twenty-eight single women.

¹⁸⁸ Jeremy Sumner Wycherley Gibson, Colin Rogers, and Cliff Webb, *Poor Law Union Records* (Birmingham: Federation of Family History Societies, 1997).

Eden strongly refuted Smith's view of the settlement laws,¹⁸⁹ citing as support Howlett's claim of 'how seldom the young and healthy, while single', found 'any difficulty in changing their residence, and fixing where they please'.¹⁹⁰ That argument was found wanting by Dugald Stewart, who found that Smith's statement was supported by so many respectable writers, it was impossible to call its accuracy in question.¹⁹¹ Perhaps, however, Smith's key point was that 'to remove a man who has committed no misdemeanour from the parish where he chooses to reside, is an evident violation of natural liberty and justice'.¹⁹² Whilst George Boyer may be right in his analysis that the impact of settlement laws on relief did not affect labour migration, their impact on young, healthy, single people was high.¹⁹³ The existence of a 'welfare state in miniature' rather depended on who you were. Single women, able-bodied young adults and some families were treated harshly. Yet single women with children were looked after.

The number of crimes committed by young adults was very low. Although there was a great deal of concern in early nineteenth-century England that crime was rising out of control – between 1800 and the 1830s it increased four-fold – it reached a total only of 20,000 incidents in the country, but crime continued to rise inexorably, according to the regular returns in the Parliamentary Papers. Engels remarked that it had risen seven-fold in a period of thirty-seven years at the beginning of the century although Sally Mitchell states that 'historians generally agree that there was less crime in Victorian England than in earlier times

¹⁸⁹ See fn. 92; Sir Frederick Morton Eden, *The State of the Poor: Or, an History of the Labouring Classes in England, from the Conquest to the Present Period ... Together with Parochial Reports ... With a Large Appendix*, 3 vols., vol. I (London, 1797), p.297.

¹⁹⁰ Revd. John Howlett, "Examination of Mr. Pitt's Speech in the House of Commons, On ... February 12, 1796, Relative to the Condition of the Poor," (London: W. Richardson, 1796), p.13.

¹⁹¹ Dugald Stewart, 'Of the Poor - Their Maintenance', in *Lectures on Political Economy*, ed. Sir William Hamilton (Edinburgh: 1856), p.269.

¹⁹² Smith, *The Wealth of Nations*, p.175.

¹⁹³ George R. Boyer, *An Economic History of the English Poor Law 1750-1850* (Cambridge: Cambridge University Press, 1990), pp.191-2.

and that it diminished even more as the period went on'.¹⁹⁴ A scan of cases in the calendars suggests that people were stealing food and clothes due to want, and this is highly likely to be the case. Whilst the evidence of theft due to overall deprivation, not necessarily starvation, is circumstantial, it is compelling.

¹⁹⁴ Engels, *The Condition of the Working-Class in England in 1844*, p.130; Sally Mitchell, *Daily Life in Victorian England* (Westport, CT: Greenwood Press, 1996), p.95. Mitchell provides no support for her statement.

6. Life stages: Family life – Parenthood into Old Age

The family unit was vulnerable to the vagaries of poverty. Children imposed extra expense, mothers were much less able to work, and fathers had to contend with a labour market, which, in the Cleobury Mortimer area, was very much affected by harvest and weather. Illness and injury were always around the corner and the break-up of the family unit could have devastating effects. In a benevolent system under the poor laws, families would be supported and allowed to stay in their homes via outdoor relief. This was mostly the case until the enforced use of the workhouse as a method of relief, but families were also frequently at risk of finding themselves moved from one parish to another, due to the very complex laws of settlement.

As mentioned earlier, rural poverty in the late eighteenth century had a particular life-cycle, occurring particularly in early middle life, when married with young children,¹ and it is clear that family break-up was a significant factor contributing to family poverty, though there is very little research to shed light on just how significant this was under the poor laws.² Historians such as Snell, Ethel Hampson, Sokoll, Tim Hitchcock, Sharpe and Steven King have contributed greatly to our detailed knowledge of family life in poverty during the eighteenth and nineteenth centuries,³ but when it comes to the life stage impact on poverty, the results are mixed. For example, despite the title of her book, Williams only devotes only a few pages to a discussion of family under the heading of ‘parenthood’.⁴

¹ See Ch. 1 ‘Introduction’, fn.38.

² See Ch. 1 ‘Introduction’, fns.40 and 41.

³ Ethel Mary Hampson, *The Treatment of Poverty in Cambridgeshire: 1597-1834* (Cambridge: Cambridge University Press, 1934); Sokoll, *Household and Family among the Poor*; Hitchcock, 'Unlawfully Begotten on Her Body': Illegitimacy and the Parish Poor in St Luke's, Chelsea'; Pamela Sharpe, 'The Bowels of Comapation': A Labouring Family and the Law, c.1790-1834', idem, ed. Tim Hitchcock, Peter King, and Pamela Sharpe (Basingstoke: Macmillan Press); Steven King, 'Reconstructing Lives: The Poor, the Poor Law and Welfare in Calverley, 1650-1820', *Social History* 22, no. 3 (1997).

⁴ Samantha Williams, *Poverty, Gender and the Life-Cycle under the English Poor Law, 1760-1834* (Woodbridge: Boydell Press, 2011), pp.107-111.

This chapter looks at three issues: relief outside the workhouse (supporting the concept of the 'welfare state in miniature'), the workhouse itself and enforced removal. It will also shed some light on the frequency and effect of desertion. The principal question being considered is twofold: how well did families fare when hit by hard times and to what extent was this different under the regimes of the old and new poor laws? The chapter also looks at how the poor fared in old age, which could be deemed the late stage of family life, at least until only one member of a domestic unit, often a widow, remains. It is almost thirty years since Barker-Read observed that there had been few, if any, studies of the treatment of the aged poor under the old poor law.⁵ Ten years later, Ottaway noted that little further progress had been made, especially covering the late eighteenth century.⁶ Although historians such as Laslett have contributed enormously to the history of old age and ageing, they do not cover the treatment of the poor in detail.⁷ An insight into that missing detail is provided in Sokoll's coverage of Essex pauper letters and in his earlier thesis,⁸ and in the work of Richard Smith.⁹ A major contribution, certainly to debate, of the history of the poor in the nineteenth century has been by made Thomson,¹⁰ although not all historians agree with him that pauper

⁵ Barker-Read, 'Treatment of the Aged Poor', p.7.

⁶ Susannah Ottaway, 'The 'Decline of Life': Aspects of Aging in Eighteenth-Century England' (Unpublished PhD thesis, Brown University, 1998), p.9.

⁷ Peter Laslett, 'Necessary Knowledge: Age and Aging in the Societies of the Past', in *Aging in the Past : Demography, Society, and Old Age*, ed. David I. Kertzer and Peter Laslett (Berkeley, London: University of California Press, 1995); 'The History of Aging and the Aged'; *A Fresh Map of Life : Emergence of the Third Age*, 2 Rev. ed. (London: Macmillan, 1996).

⁸ Thomas Sokoll, 'Old Age in Poverty: The Record of Essex Pauper Letters, 1780-1834', in *Chronicling Poverty : The Voices and Strategies of the English Poor, 1640-1840*, ed. Tim Hitchcock, Peter King, and Pamela Sharpe (Basingstoke: Macmillan, 1997); *Essex Pauper Letters, 1731-1837*, ; 'Household and Family among the Poor: The Case of Two Essex Communities in the Late 18th and Early 19th Centuries' (Unpublished PhD thesis, University of Cambridge, 1989); *Household and Family among the Poor* (1993 book).

⁹ Smith, 'The Structured Dependence of the Elderly as a Recent Development: Some Sceptical Historical Thoughts'; 'Charity, Self-Interest and Welfare: Reflections from Demographic and Family History'.

¹⁰ David Thomson, 'Provision for the Elderly in England, 1830 to 1908' (Unpublished PhD thesis, University of Cambridge, 1980); 'Workhouse to Nursing Home: Residential Care of Elderly People in England since 1840', *Ageing and Society* 3, no. 1 (1983); 'The Decline of Social Welfare: Falling State Support for the Elderly since Early Victorian Times', *Ageing and Society* 4, no. 4 (1984); 'I Am Not My Father's Keeper: Families and the Elderly in Nineteenth Century England', *Law and History Review* 4 (1984); 'The Welfare of the Elderly in the Past: A Family or Community Responsibility?'

pensions under the poor law were superior to those of today.¹¹ There is also a great deal of debate as to whether the elderly were supported more by family or by poor relief.¹² The issue of relief for the aged is confused by what is meant by the term *aged*. The Cambridge Group for the History of Population and Social Structure defined old age from sixty,¹³ whilst Olwen Hufton refers to old age in northern France as being from fifty.¹⁴ The Poor Law Commissioners set an arbitrary age limit of sixty for the substitution of tea, butter and sugar in the workhouse dietaries, and this may have created a general impression that being over sixty equated with ‘aged and infirm’. However, Janet Roebuck noted that the ‘aged and infirm’ were simply a sub-group of the impotent poor, and that equally arbitrary limits of fifty and seventy were set for diet improvements.¹⁵ The denizens of the Cleobury Mortimer area were made of stern stuff. Whilst relief was regularly paid on account of age and infirmity, there are many instances of men and women working hard well into their seventies and eighties.¹⁶ Thane found that up to the late nineteenth century and beyond:

all of those who could, male or female, worked for as long as they were able at whatever employment they could find. When they were past work they were cared for by their families where these existed and could afford support. Old people who had no family to support them had to look for charity, either formally through the philanthropic institutions which grew and flourished

¹¹ For example see E. H. Hunt, ‘Paupers and Pensioners: Past and Present’, *Ageing & Society* 9, no. 4 (1989).

¹² Jean Robin, ‘Family Care of the Elderly in a Nineteenth-Century Devonshire Parish’, *Ageing and Society* 4, no. 4 (1984); Thomson, ‘The Welfare of the Elderly in the Past: A Family or Community Responsibility?’; Thane, ‘The History of Provision for the Elderly to 1929’, p.191.

¹³ Wrigley and Schofield, *The Population History of England, 1541-1871: A Reconstruction* p.216.

¹⁴ Olwen H. Hufton, *The Poor of Eighteenth-Century France, 1750-1789* (Oxford: Clarendon Press, 1974), p.111 fn.4. The reference is to Georges Lefebvre, *Les Paysans du Nord Pendant la Révolution Française* (Bari: Editori Laterza, 1959) p.302 but does not appear to be correct. She also refers to a letter in the Archives départementales de la Somme, France (C 245, January 26th 1758) which states ‘... l’expérience nous apprend que l’ouvrier qui manufacture à la ville ne peut plus supporter le genre de travail dès l’âge de cinquante ans’, which suggests a physical decline at 50.

¹⁵ Janet Roebuck, ‘When Does “Old Age” Begin?: The Evolution of the English Definition’, *Journal of Social History* 12, no. 3 (1979), p.419.

¹⁶ As found also, for example, by S. A. Shave, ‘The Dependent Poor? (Re)Constructing the Lives of Individuals ‘on the Parish’ in Rural Dorset, 1800-1832’, *Rural History* 20, no. 1 (2009), p.87.

during the nineteenth century... Only in the last resort when no charity existed was poor relief given in or outside the workhouse.¹⁷

This view that the old were aided only to the least extent possible is echoed by several other poor law historians such as Rose, Michael Anderson, Digby and Henriques.¹⁸ Barker-Read's findings were that large numbers of aged poor were able to maintain themselves and avoid claiming relief under the old poor law, despite great poverty.¹⁹ Yet Ottaway suggested that the community view was that the elderly both needed and deserved assistance,²⁰ and Richard Dyson found in Broughton, Lincolnshire, that the elderly dominated relief lists but this reduced under the new poor law.²¹ Although writing about Hertfordshire, Nigel Goose calculated that workhouse populations were skewed more to men early in the year in a number of counties.²² This was not especially true of Cleobury Mortimer, though elderly men outnumbered elderly women.

A great deal has been written on the subject of the workhouse. In a wide field, historians such as Crowther, Digby, Felix Driver and Crompton (on children in the workhouse) offer significant overviews.²³ The wealth and breadth of primary source material makes it possible to put forward many differing views, depending on the material selected and the perspective of both writer and researcher. David Roberts highlighted this issue in his paper, 'How cruel was the Victorian Poor Law?', in considering reports of cruelty in *The*

¹⁷ Thane, 'The History of Provision for the Elderly to 1929', p.191.

¹⁸ Rose, 'The Allowance System under the New Poor Law', p.618; Michael Anderson, *Family Structure in Nineteenth Century Lancashire* (London: Cambridge University Press, 1971), p.138; Anne Digby, *Pauper Palaces* (London: Routledge and Kegan Paul, 1978), p.161; Henriques, *Before the Welfare State: Social Administration in Early Industrial Britain*, p.1.

¹⁹ Barker-Read, 'Treatment of the Aged Poor' p.40.

²⁰ Ottaway, 'Decline of Life', p.79 and chapter 2.

²¹ R. Dyson, 'The Experience of Poverty in a Rural Community: Broughton, North Lincolnshire, 1760–1835', *Local Population Studies* 70 (2003), p.15.

²² Nigel Goose, 'Poverty, Old Age and Gender in Nineteenth-Century England: The Case of Hertfordshire', *Continuity and Change* 20, no. 3 (2005), p.376.

²³ Crowther, *The Workhouse System 1834-1929: The History of an English Social Institution*; Digby, *Pauper Palaces*; Felix Driver, *Power and Pauperism: The Workhouse System, 1834-1884* (Cambridge: Cambridge University Press, 1993); Crompton, *Workhouse Children*.

Times versus the reports of the Poor Law Commissioners.²⁴ Further examination of a locally sensational case, reported in *The Times*, shows not just journalistic licence, but wildly incorrect reporting.²⁵ Dickens created an enduring image, in *Oliver Twist*, that the workhouse dietary was poor. The demand of the Bewdley vestry to know the names of those in the workhouse who used sugar may reinforce that view, but recent research published in the *British Medical Journal* suggests that diets were, at least, adequate.²⁶ Digby concluded that the majority of poor relief was dispensed out of the workhouse, which was viewed by rural workers as a prison.²⁷ Whilst this outdoor relief may seem preferable to life in the old poor law workhouse as described by Dickens and Digby, Rose argued there was nothing particularly humane about the outdoor relief system – either before or after 1834.²⁸

The operation of the outdoor relief system is well examined in the literature.²⁹ Steven King, who has written extensively on the subject, Paul Slack and Alannah Tomkins go into greater depth.³⁰ Academic treatments by Sokoll, Williams, Samantha Shave and Seal (amongst others) contribute further, whilst Vincent Walsh provided a useful local insight.³¹ At the beginning of the period of this study, Burn, whose manual on local government was

²⁴ David Roberts, 'How Cruel Was the Victorian Poor Law?', *The Historical Journal* 6, no. 1 (1963), p.101.

²⁵ The case of Mary Ann Winwood, 'Letter to the Editor from 'One of the Largest Ratepayers in the Parish'', *The Times*, January 31st 1844.

²⁶ WAAS BA/4600/962 *Bewdley Vestry Meeting Minute Book 1823-1926*, July 7th and November 30th 1825; Smith *et al.*, 'Please, Sir, I Want Some More'.

²⁷ Digby, 'The Rural Poor Law', p.169.

²⁸ Rose, 'The Allowance System under the New Poor Law', p.620.

²⁹ For example, Webb, *English Poor Law History: Part 1. The Old Poor Law*; Blaug, 'The Myth of the Old Poor Law and the Making of the New'; James Stephen Taylor, 'The Mythology of the Old Poor Law', *idem* 29 (1969); Boyer, *An Economic History of the English Poor Law 1750-1850*; Brundage, *The English Poor Laws, 1700-1930*; Peter Dunkley, *The Crisis of the Old Poor Law in England 1795-1834: An Interpretive Essay* (New York ; London: Garland Publishing, Inc., 1982).

³⁰ King, 'Reconstructing Lives'; *Poverty and Welfare in England*; 'Negotiating the Law of Poor Relief in England, 1800-1840', *History* 96, no. 324 (2011); Paul Slack, *The English Poor Law, 1531-1782*, Prepared for the Economic History Society (Basingstoke: Macmillan, 1990); Steven King and Alannah Tomkins, eds., *The Poor in England 1700-1850: An Economy of Makeshifts* (Manchester: Manchester University Press, 2003).

³¹ Sokoll, 'Household and Family among the Poor'; Williams, 'Poor Relief, Welfare and Medical Provision in Bedfordshire: The Social, Economic and Demographic Context, C.1770-1834'; S.A. Shave, 'Poor Law Reform and Policy Innovation in Rural Southern England, C1780-1850' (Unpublished PhD thesis, University of Southampton, 2010); Seal, 'Poor Relief and Welfare: A Comparative Study of the Belper and Cheltenham Poor Law Unions, 1780 to 1914'; Walsh, 'The Administration of the Poor Laws in Shropshire, 1820-1855'; 'Old and New Poor Laws in Shropshire, 1820-1870', *Midland History* 2, no. 4 (1974).

widely used at the time, wrote that the Poor Relief Act 1662 was the foundation of all settlements at the time of writing the manual, ‘upon which act there have been more cases adjudged than upon any other act in the statute book’.³² The literature is rich in focused treatments of the questions of settlement and removal. Snell explores the ways in which individuals formed attachment to their settled parish and the importance of belonging, a concept covered also by Steven King.³³ Hitchcock and John Black look at individual examinations, as does Sokoll.³⁴ Philip Styles, Snell and Landau cover the complex area of settlement itself in detail.³⁵

Finding data to support answers for the old poor law is difficult. Overseers’ accounts are the obvious source, but they do not necessarily state whether relief is being given to an individual or to the head of a family – and, of course, only show the results of successful applications. Family reconstitution has long been used as a means of identifying family recipients and can be very effective, but it would be an onerous task to attempt full family reconstitution for even the seven out of seventeen parishes for which overseers’ accounts remain.³⁶ Instead, reconstitution has only been carried out for subjects of interest in the accounts.

³² Burn, *The Justice of the Peace and Parish Officer*, , p.290; The laws relating to settlement and removal were revised and amended until 1930 and not finally repealed until 1948: 20 & 21 Geo. V, *Poor Law Act*, 1930; 11 & 12 Geo. VI *National Assistance Act*, 1948.

³³ Snell, *Parish and Belonging* Chapter 5 “‘A cruel kindness’: parish out-door relief and the new poor law’; King, ‘Poor Relief, Settlement and Belonging’.

³⁴ Tim Hitchcock and John Black, eds., *Chelsea Settlement and Bastardy Examinations, 1733-1766* (London: London Record Society, 1999); Sokoll, *Essex Pauper Letters, 1731-1837*.

³⁵ Styles, ‘The Evolution of the Law of Settlement’; Snell, ‘Pauper Settlement’; ‘Settlement, Poor Law and the Rural Historian: New Approaches and Opportunities’; Landau, ‘The Laws of Settlement and the Surveillance of Immigration in Eighteenth-Century Kent’; ‘The Eighteenth-Century Context of the Laws of Settlement’; ‘Who Was Subjected to the Laws of Settlement?’.

³⁶ As a technique, family reconstitution in England was first described by Tony Wrigley in Wrigley, ‘Family Reconstitution’ and the associated problems of identifying historical persons were examined in I. Winchester, ‘On Referring to Ordinary Historical Persons’, in *Identifying People in the Past*, ed. E. A. Wrigley (London: Edward Arnold, 1973). Perhaps the most well-known example of family reconstitution is that of Colyton in Devon. See E.A. Wrigley, ‘Mortality in Pre-Industrial England: The Example of Colyton, Devon over Three Centuries’, in *Population and Social Change*, ed. D.V. Glass and Roger Revelle (London: Edward Arnold, 1972); Pamela Sharpe, ‘Gender-Specific Demographic Adjustment to Changing Economic Circumstances:

6.2 The old poor law

Direct evidence of payments to families as families is very difficult to find. For example, in the decade from 1770, the overseers' accounts for Neen Savage only mention a family three times, and only twice regarding payment of relief. Richard Garbit, his wife and two children were relieved for several weeks in 1772. His name appears fairly frequently for several more years, but without mention of his family, although in 1775 he received money for his child's funeral. In 1780, after having had rent paid for several years, he had a house built for him at a cost of £15 14s 9d. There is no clear reason why Garbit was being paid but the long period of relief suggests illness or disability. It seems likely that a number of those entries in the accounts which mention a single name actually relate to a family, but there is no way of telling without further evidence.

It is unusual to see a family named in the overseers' accounts for Cleobury Mortimer, though in the case of Thomas Taylor, who had a fever, and William Hooper, in illness, orders were made at the vestry meeting for the maintenance of the families,³⁷ but from then on, the payments were recorded as being made to Margett Taylor and Mary Hooper, presumably their wives. The vast majority of entries are for weekly pay, or casual payments 'in want'. Much less frequently, there are references to shoes, or clothing being provided but only to those in receipt of regular money payments. A handful of references have been found to potatoes, coal and wheat being found – but these are rare. Occasionally (much less than half a percent of the number of entries) payment of medical fees or rent was recorded.

Colyton 1538-1837' (unpublished PhD Thesis, University of Cambridge, 1988) and Robin, 'Family Care of the Elderly in a Nineteenth-Century Devonshire Parish'; Robin, 'Illegitimacy in Colyton, 1851-1881'. For very good examples of how family reconstitution has informed poor law research, see Wales, 'Poverty, Poor Relief and the Life-Cycle: Some Evidence from Seventeenth Century Norfolk' and W. Newman Brown, 'The Receipt of Poor Relief and Family Situation: Aldenham, Hertfordshire 1630-90', *idem* .

³⁷ SA P71/L/1/2 *Overseers' Accounts*, 1771; SA P71/C/3/1 *Vestry Minutes*, April 14th 1771.

Regular payments often continued for long periods. Matthew Hopcote fell ill after his wife died. He was relieved ‘in illness’ and ‘in distress’ for four months and Mary Norgrove was paid to look after him, having also looked after his wife. When he died, he left behind a 4-year-old son, looked after by Norgrove and relieved weekly for another four years.³⁸ Mary Butcher, who had an illegitimate son in 1773 and a daughter in 1779, was paid every week for at least twelve years. She was only paid briefly for two children, which suggests that payments for each child were made for around six years each.³⁹ William Maund was in receipt of regular relief for a number of years. In 1809, by which time his children were in their teens, he was being paid 4s. – 5s. per week, though regular payments reduced to 2s. in the years before he died in 1812. The following year, his wife was given her own occasional relief. Maund received frequent variable amounts of money, shoes, and was given straw towards his house plus money for repairs and when he managed to lose 7s. and then a further 1s., he was given the same sum again to make up the loss. Unlike the other parishes for which records survive, the overseers of Hopton Wafers made regular charges for taking people to the workhouse. In Wheathill, Francis Medlicott (and family) received casual relief once in 1794. He was relieved in 1797 with weekly pay and also given money ‘in want’, a total of £6 16s. In 1800, he received weekly relief, casual relief, his rent, clothing for him and his daughter, coal and also 7s. when his house was robbed – and the funeral fees for his wife, Ann.⁴⁰ Medlicott died in 1821.⁴¹ (see *Table 18*).

³⁸ SA *Overseers’ Accounts* P71/L/1/4. Matthew Hopcote was buried October 30th 1775, his wife Jane, June 23rd (Cleobury Mortimer Parish Registers, *General Register 1754-1812* P71/A/1/4). Matthew Hopcote, jnr, contracted smallpox in January 1779, by which time payments were being made to Thomas Norgrove, Mary Norgrove’s husband. There is no obvious record after February.

³⁹ Ibid. Payments were latterly made to her mother, Easter Butcher.

⁴⁰ SA P302/L/1/1 *Wheathill Parish Records, Overseers Accounts (1786-1816)*.

⁴¹ SA P302/A/4/1 *Wheathill and Loughton Parish Registers, Burial Register (1813-1871)*, March 4th 1821.

Table 18 - Relief payments to Francis Medlicott and family

[illegible]

1812	Weekly relief 31 weeks @ 1s., 26 weeks @ 2s. In want twice Rent	4	3 6 7	
1813	Weekly relief @ 2s. A shirt Rent	5	4 5 7	
1815	Shirt Coal Rent Weekly allowance @ 2s	5	5 8 7 4	6
1816	Weekly relief @ 2s. then 3s. pw Rent Coals and carriage Potatoes 5s., shoes 3s., and clothing 16s.	6 1	7 7 7 4	6
1817	Weekly relief @ 3s. Half year's rent	6	9 3	6
1818	Weekly relief @ 3s. Coal	7	16 1	6
1819	Weekly relief @ 3s. Shoes A horse load of coal	7	16 10 1	6
1820	A smock Straw for his house Coal Weekly relief @ 3s.	1 6	5 1 18	

The Highley vestry did not seem to be overly concerned with the questions of character as were seen later in the union parishes. Jane Pugh was given money several times in 1768 when she came out of the house of correction, along with clothes and payment for looking after her child in 1768-9. The accounts also list money paid to bring her child from Shrewsbury, and provide the child with shoes, stockings, garters, shirts (fabric, thread and making).⁴² Around the same time, a Joan Pugh was given relief and payment was made to different women for looking after her children, Edward and Mary. She was not mentioned again for ten years when queries were made about her parish. She was paid some relief, but then died and was buried at parish expense. Her son, Edward, was relieved in want in 1783 and 1784 and again in 1786, with the costs of the funeral of his daughter, also Mary. Nine years later a summons was taken out (suggesting he had deserted his family), as well as payment made for maintenance of his child. His wife was relieved in 1798, in want, and fees

⁴² It is not clear who Jane Pugh was or how many children she had.

were paid for a midwife. Pugh himself was relieved again in 1799 (in illness and in want, with his wife and daughter); and again in 1800 (with separate entries for his wife in illness and want).

6.3 ‘A good carriage clock and two daughters kept in idleness at home’

How did poor families fare under the Cleobury Mortimer union and were there significant differences in treatment of the poor before and after the new poor law? As mentioned in Chapter 3, the Cleobury guardians were stern, certainly under the new poor law, yet could be genuinely compassionate. They could appear to take umbrage yet stop short of penalties. Thomas Neath, a 45-year-old widower was ill and in receipt of 2s. and two gal. flour weekly. He was seen planting in his garden and the relieving officer determined that since he had a house, a half-acre, an eight-day clock and two daughters, 14 and 17, kept in idleness at home, his relief should be stopped, but the board deferred to the medical officer.⁴³

6.4 Desertion

Desertion is a common theme running through the cases set out in the minutes: families being abandoned by their fathers and wives by their husbands. There is nothing to show why men behaved in this way, something which is particularly difficult to understand when reading of fathers abandoning their children, the mother being dead or, perhaps worse in the eyes of contemporaries, single mothers and widows running off, leaving behind their children. Though the notion of bad character crops up regularly in the records, it is easy also to imagine men being driven by despair, particularly if they were able bodied but unable to find work in the area. Perhaps some simply went off in search for work, leaving behind their dependents and believing, or hoping, that they would then qualify for relief, but relief was not guaranteed.

⁴³ SA PL5/2, May 21st 1838.

Overseers were not always willing to receive paupers after a removal from another parish and, although there was a system for appeal, they resorted to other means to avoid paying for support.

Sarah Lawley, with her husband, William, and children William, Thomas, Ann and Samuel all under the age of seven, had been removed from Cleobury Mortimer to Hopton Wafers in December 1777. There they had been allowed upwards of forty shillings in money but after a month had been refused further relief. On Monday February 16th 1778, the husband had run away leaving them without any money or victuals. Sarah applied on the Wednesday to Edmund Preece, an overseer of the poor in Hopton Wafers for relief for her and the four children, but his response was to bring them into Cleobury Mortimer, where he left them with one shilling to find food until the following morning. On appearing again the next day before Preece, she was refused. The other overseer was summoned before the justices who found no cause why the Lawleys should not be relieved and no legal authority for their behaviour. The justices ordered the churchwardens and overseers of Hopton Wafers to pay Sarah Lawley and her children five shillings per week until otherwise ordered.⁴⁴ For some, desertion meant the workhouse and for some of the abandoned, their own character was called into question:

Elizabeth Pirbeck, 44, William, 12, Ann, 8, and Mary, 7, her children. The relieving officer reported that this woman's husband, Walter Pirbeck, 60 years of age, having deserted her, he had relieved her with bread and to the amount of 4s 2½d. during the last fortnight which the Board allowed: but the Board refused any further relief whatsoever out of the workhouse and offered an order of admission of the woman and children therein, the Board having received a very indifferent character of her; and work having been offered both for the woman and children by the vice-chairman.⁴⁵

⁴⁴ SA P71/L/15/215b *Settlement Records*.

⁴⁵ SA PL5/3, May 20th 1839.

Ann Postance and her four children fared better. They were given emergency relief of flour, then 2 gal. flour and 1s. per week. The husband was to be apprehended and two weeks later the assistant overseer reported that James Postance had been committed for fourteen days.⁴⁶ The husband of Mary Willis suffered no penalties by repaying all the expenses and the relief which had been afforded his wife Mary and child, who were in the workhouse a short time.⁴⁷ In the case of Anne Whitney, though deserted by her husband, she was refused relief as she was found to be living with another man.⁴⁸ Charlotte Reynolds drew some unspecified disapproval as the guardians stopped her weekly relief after she was deserted by her husband and offered her the workhouse instead. She only remained a few weeks.⁴⁹ When Joseph Baldwin applied for himself, his wife and five children, on account of illness, he was allowed 3s. plus whatever the medical officer directed. The relieving officer had described him as bearing a very good character.⁵⁰

The records provide a fascinating insight into the clearly wretched conditions of the Tafft family in Cleobury Mortimer. They relate the trials of one family, the father travelling far and wide with his family in search of work, beset by illness and bouts of poverty, no doubt grief, at one point buoyed by hope followed perhaps by a sense of despair, taking advantage of the support offered by his brother and sister-in-law who looked after his children.

Table 19 - The Tafft family

HEAD	John	Tafft	baptized	Cleobury Mortimer	1808 Sep 11
Married	Kezia	Framer	baptized	Alveley, Worcs	1804 May 31
			married	Cleobury Mortimer	1831 April 3
			buried	Ashton-under-Lyne, Lancs	1839 (Oct-Dec)
daughter	Mary	Tafft	baptized	St Thomas, Dudley	1832 Feb 12
daughter	Eliza	Tafft	baptized	St Thomas, Dudley	1833 Dec 29
Son	George	Tafft	baptized	Prescot, Lancs	1838 (Oct-Dec)
daughter	Rachel	Tafft	baptized	Ashton-under-Lyne, Lancs	1839 (Jul-Sep)
Father	William	Tafft			

⁴⁶ Ibid. August 26th 1839; September 9th 1839.

⁴⁷ Ibid. December 2nd 1839; December 30th 1839.

⁴⁸ Ibid. October 21st 1839.

⁴⁹ Ibid. December 2nd 1839; January 13th 1841.

⁵⁰ SA PL5/125 *Application and Report Books*, September 24th 1839.

Mother	Rachel	Tafft	married	Cleobury Mortimer	1796
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John Tafft and Kezia Farmer were married in Cleobury Mortimer in 1831. Their children were born in Dudley and Lancashire. Kezia died in Lancashire in October or November, soon after the birth of their fifth child.⁵¹

The family returned to Cleobury but John was out of work and the eldest daughter, Mary, was ill. Tafft himself was recovering from an attack of typhus fever. Mary was supplied with mutton by the relieving officer, to the value of 10d., and the family were allowed three gal. flour and 2s. per week for a month. Doubtless the guardians were concerned at the size of the family. Although Tafft had been born in Cleobury it was discovered that he had served an apprenticeship in Stourbridge, though not for the full term, and the guardians applied to the magistrates to determine his place of settlement.⁵² Towards the end of December, Tafft had been found partial employment by Mr. Hall, one of the guardians, but no order for removal was obtained as Tafft had gone off looking for work.⁵³ He wrote to his brother and sister:

Dear brother and sister I write these few lines to you hoping it finds you in good health as it leaves us at present thank God. For if I have sent to let you know that I am at Dudley and have begun to work for Charles today and am going to stop with him and we think I had better have the children with me and let them fare the same as I do. Mary can nurse for Sarah and the other three can go to school. If you can make it convenient to send them by Woodhouse wagon when it comes on Friday. Travel is very bad but I cannot bear the thought of their going to the workhouse. If you will please to send the bed tick and two blankets and three sheets so we can make a bed for them to sleep on. Please to send two or three spoons and forks as Sarah is short of them. I think you had better come with them if you can make it convenient for it will be very loathsome to come by themselves and then you can see if you can get any work. I went down to James but he was not at home. I work two days for Insull but he could not find any more. I will meet the wagon on Saturday

⁵¹ GRO Index, December quarter 1839, Ashton-under-Lyne, Lancashire, vol.20, p.8.

⁵² SA PL5/3, December 2nd 1839; December 16th 1839.

⁵³ Ibid. December 30th 1839.

morning. So no more at present from your brother and sister John Tafft and Sarah Haywood.⁵⁴

Soon after receiving the letter, his brother Thomas reported to the guardians that Tafft had found work at Dudley and asked for an allowance to take the children to Dudley as requested in his brother's letter. The board refused. At the time, the workhouse was crowded, so they provided 8s. a week for their maintenance, their uncle Thomas refusing to accept any less.⁵⁵ A month later, Tafft returned from Dudley and the family were admitted to the workhouse, but left within a fortnight.⁵⁶ A few weeks later, Tafft was described as having deserted his children and three of them, Eliza, John and George, were taken into the workhouse.⁵⁷ The elder girl, Mary, and the youngest, Rachel, are taken in by their uncle, Thomas, who applied for relief for them in June. He was refused relief for both, but was offered 1s. per week for Rachel, and for Mary to be taken in to the workhouse. She was admitted but left two days later on July 1st.⁵⁸

In September 1840, William Tafft, who was most likely the father of John and Thomas, died in the workhouse from dropsy. He was admitted in 1838, having been refused relief.⁵⁹ His pauper funeral cost £1 3s 2d.⁶⁰ Thomas returned to the guardians again in October. This time his wife, Ann, was suffering from typhus fever. The medical officer had ordered mutton, tea, sugar, bread and soap and the relieving officer also gave mutton, sugar and wine. The board ordered a quantity of port wine, tea and sugar to the value of 2s., and four gal. flour to be given. Thomas Tafft agreed to treat this as a loan and repay at 1s. per

⁵⁴ SA PL5/103, February 4th 1840.

⁵⁵ Ibid. February 10th 1840.

⁵⁶ Ibid. March 9th 1840; March 23rd 1840.

⁵⁷ Ibid. April 6th 1840.

⁵⁸ Ibid. June 29th 1840.

⁵⁹ SA PL5/4, September 21st 1840; John and Thomas Tafft were the sons of William and Rachel Tafft, who were married in Cleobury in 1796 P71/A/3/1 *Cleobury Mortimer Parish Registers, Marriage Register (1754-1812)*; PL5/2 February 5th 1838.

⁶⁰ SA PL5/4, November 2nd 1840.

week.⁶¹ A month later Ann was reported as very much better and no longer standing in need of relief.⁶²

Mary was reported being admitted to the workhouse again in April 1841.⁶³ She must have left as, at the time of the census in June 1841, she was living with her uncle, as was Rachel, and the other three were in the workhouse.⁶⁴ Finally, in November 1841 she was provided with a pair of shoes, having applied through her aunt, with whom she was living.⁶⁵

Very little is known after that, with no obvious records being found for most of the family members.⁶⁶ But here are seen the trials of one family, the father travelling far and wide with his family in search of work, beset by illness and bouts of poverty, and no doubt grief, at one point buoyed by hope, followed perhaps by a sense of despair, taking advantage of the support offered by his brother and sister-in-law. The absence of data means there is no complete picture, but the Cleobury Mortimer guardians seem to have done what they could, except for refusing an allowance for 9-year old Mary to remain with her uncle and aunt.

Husbands could be prosecuted for failing to support their wives. Samuel Gittins, before the magistrates in 1849, had his excuse. He stated he was a labourer who would support his wife as well as his wages would let him, but ‘no man could stand her tongue’. After she harangued the magistrates with ‘such a specimen of her loquacity that left no

⁶¹ SA PL5/4, October 5th 1840.

⁶² Ibid. November 2nd 1840.

⁶³ Ibid. April 8th 1841.

⁶⁴ 1841 *Census of England and Wales* HO 107/921/12 f.11., p.14; HO 107/921/12 f.54., p.1.

⁶⁵ SA PL5/4, November 21st 1841.

⁶⁶ There is no trace of John Tafft, the father, or of George. Thomas and Ann Tafft (the aunt and uncle) both died in Cleobury in 1888 (October 7th and July 29th) SA P71/A/4/2 *Cleobury Mortimer Parish Registers, Burial Register (1874-1912)*. Thomas, who had started married life as a labourer, had been a grocer and county court bailiff (TNA RG 9/1846 1861 *Census* f.12, p.21, RG 10/2737 1871 *Census* f.85., p.37; RG 11/2625 1881 *Census* f.6., p.3). Eliza ended up in Hitchin, Herts., with two illegitimate children, George (b.1860) and Mary Ann (b.1867), with whose assumed father, William Cains, she was living in 1881 (RG 10/1368 1871 *Census* f.8, p.8; RG 11/1419 1881 *Census* f.55, p.6. Rachel, the youngest child, died in Cleobury Mortimer, buried on September 18th 1854, aged 14. SA P71/A/4/1 *Burial Register (1813-1873)*.

mistake on that point', the magistrates recommended they live peaceably together and dismissed the case.⁶⁷

6.5 The workhouse

In the workhouse, men and women were accommodated separately, in three different categories: the old and infirm, the able-bodied and children over 7. Children under 7 were accommodated together, but generally not with their parents. Families were separated on entry though there was discretion to keep younger children in the female wards. Mothers had access to young children at all reasonable times, but older children could only be 'interviewed' at some set time each day. The approval of the guardians, or the Relieving Officer, was required before admission to the workhouse, usually because someone had applied for relief and been offered the house as the only option. Sometimes, however, people were abandoned on the doorstep. In January 1870, Robert Albert was charged with having left his wife and three children chargeable to the union and at the door of the workhouse. He said he had been short of work with no place to take his wife and children. The master of the workhouse said that this was not so and that when he received wages, he would go and spend it all at a public house – a very common problem.

Of the thirty-six children in the workhouse in March 1847, only half were with their mothers.⁶⁸ the rest were orphans or had been deserted. However, some people had support networks to avoid the workhouse. In 1864, Henry Mills, father of three children was desperate. He was working but only earning 4s. per week and had been refused out relief by the guardians. He appealed directly to the Poor Law Board but was told they could not interfere in individual cases. In his letter, he explained that his father had caused him all his

⁶⁷ "Cleobury Mortimer, Petty Sessions 21st August".

⁶⁸ TNA MH 12/9883 Table showing the number of children in the workhouse, March 1847 *Correspondence*, April 1st 1847.

problems. He wrote that he ‘had one leg and a stepmother for twenty-six years’ and that his leg was the result of his father’s carelessness. His father had 200 acres, 120 of which were his by birthright, but his father had done everything to rebuff him and destroy his character and credit by sending bailiffs to his house. The case was passed to the guardians who were unmoved. They wrote back that they had refused out-relief due to his bad character – he had failed to mention that he had been convicted twice of horse stealing and suffered a long term of imprisonment. They offered the workhouse.

This issue of character is something found throughout the records, though only after 1837. Susannah Lane died in 1857 without receiving any assistance from the guardians. Her daughter had appeared before the guardians to request regular relief but was refused outright – ‘no out-relief while she keeps two daughters of bad character at home. Order into workhouse offered’.⁶⁹ It was suggested that she died through lack of ‘necessaries’, though the medical officer had supplied brandy, sugar, mutton, tea and oatmeal.

Hannah Potter, who was the first to enter the workhouse, with her three children, was described as a notorious character who was to be relieved on the order of Mr Beddoes, one of the guardians, suggesting that the relieving officer was not too happy in doing so. She was given to flying into ‘paroxysms of rage’ and her violent behaviour became worse when it was suggested that her children be apprenticed. In 1866, Maria Bray was charged with assaulting another young woman.⁷⁰ Eight months later, Maria Bray fell down some stone steps in the workhouse and injured her head badly. The medical officer attended quickly, but she died within half an hour. A verdict of accidental death was recorded, but one does wonder.⁷¹

⁶⁹ SA PL5/11 October, 26th 1857.

⁷⁰ "Cleobury Mortimer - Petty Sessions", *Shrewsbury Chronicle*, March 2nd 1866.

⁷¹ "Fatal Accident", *Eddowes's Journal, and General Advertiser for Shropshire, and the Principality of Wales*, October 10th 1866.

For many young women, finding themselves single and pregnant almost automatically led to the workhouse. The Revd George Moultrie wrote in a letter that he saw the bastardy cases as ‘strong proof of neglect on the part of the parish officers for years before the union and that we are now and shall be for a few years justly suffering’,⁷² but there were not as many children born in the workhouse as might be thought – an average of about three per year. From 1813-1871, 163 children were born in the workhouse to single mothers. Despite the image of *Oliver Twist*’s mother, only three cases of maternal death in the workhouse have been identified. There were also twenty-two married women, some of whom were in the workhouse with their husbands (even if poor, married women generally avoided the workhouse for lying-in if they could).⁷³ It is difficult to picture the desperation those families must have experienced. John and Eliza Ferriday married in 1836 in Ribbesford, Bewdley. It was five years before they had a child, Caroline, but then John lost his job and all three were sent to the workhouse. Eliza was pregnant at the time. Their son, John was born in the workhouse – two weeks after his sister died.

6.6 Rules and punishment

In November 1852, the guardians asked the Poor Law Board how they should deal with the problem of great inconvenience caused by families quitting the workhouse in a morning and applying to be readmitted in the evening.⁷⁴ The guardians resolved not to allow readmission, except in special circumstances, but the PLB said it would not be legal. However, the rules were clear that admission was mandatory only in cases of sudden and urgent necessity. Otherwise, they should take note of the application to enter, make all necessary enquiries

⁷² SA PL5/103, June 11th (no year noted, but between 1837 when the union was formed and 1845 when Moultrie died).

⁷³ Rose, *Massacre of the Innocents: Infanticide in Great Britain 1800-1939*, p.32.

⁷⁴ TNA MH 12/9884 Exchange of Correspondence, between guardians and PLB *Correspondence*, November 19th 1852.

however long that should take, bring the paupers into the receiving ward, make them have a bath and wear workhouse clothes. In the PLB's view, they would soon tire of treating the house as a hotel.

A year and a half before the infamous Andover workhouse scandal,⁷⁵ *The Times* newspaper published an anonymous letter in 1844, from one of the largest ratepayers in the parish.⁷⁶ It related the shameful treatment of one Mary Anne Winwood. The story was picked up by the *Age and Argus*, a short-lived Sunday newspaper in London, which told the story in lurid detail:

It's the 25th of January 1844. The Sabbath bells are ringing for GOD's holy worship, and a Christian people are going to HIS house to offer up praise and prayer. As they pass by the 'lock-up', or village dungeon, a piercing scream – a *woman's* scream – rings from it and ghastrfully comingles with the chime of the church bells. The good folk return from church and *enjoy* their Sunday dinner. They go to church again in the evening, hear the same screams from the 'lock-up', and they return to *enjoy* their Sunday supper; while the wretched mother and her infant child are incarcerated in the 'lock-up' for twenty-four hours, and at the '*sic volo sic jubeo*' of the Cleobury Dogberry.⁷⁷

In the best traditions of reality *reportage*, the article tells how at breakfast, her victuals were a dry and hard crust. As her mouth was sore, she steeped the crust in water and was taken to task by the overseer who said he would not stand such daintiness. She ran off to see the doctor and on coming back was ordered by the master, Mr Hooper, to the lock-up. Winwood was just seventeen with a two-week-old baby and was separated. Her screams, so it is said,

⁷⁵ The master of the Andover workhouse was reputed to be particularly cruel. An investigation found that paupers were occupied in bone-crushing but were so hungry that they were gnawing at the rotting bones themselves for food. For more see *The Times*, August 13th – 15th 1845; *Report from the Select Committee on Andover Union; Together with the Minutes of Evidence, Appendix and Index*, 663-II, 1846 para.9828 et seq.; Ian Anstruther, *The Scandal of the Andover Workhouse* (London: Bles, 1973).

⁷⁶ "Letter to the Editor from 'One of the Largest Ratepayers in the Parish'".

⁷⁷ "Case of Anne Winwood", *Age and Argus Sunday Newspaper*, February 3rd 1844; Dogberry is a character in William Shakespeare's play, *Much Ado about Nothing*, and is described as a 'self-satisfied night constable' with an inflated view of his own importance as the leader of a group of comically bumbling police watchmen, in Wood, James, (ed.) *'Dogberry'*, *The Nuttall Encyclopædia* (London and New York: Frederick Warne, 1907).

were for her child and because her ‘milk was driving her frantic’. Rachel weeping for her children in the Bible story was a happy woman compared with Ann Winwood.

Several weeks later, *The Times*, which seized any opportunity it could to criticise the operation of the poor laws, repeated the allegations of bodily and mental suffering, phrenzy [*sic*], phantasms of horror and agonising shrieks, complaining that no-one stood accused, was censured or prosecuted. Unfortunately, that was because the story was not quite true and had been considerably embellished by the anonymous writer and the *Age and Argus*.

6.7 Settlement and removal – the harsh reality

*To the Churchwardens and Overseers of the Poor of ... to execute and convey
To the Churchwardens and Overseers of the Poor of ... to receive and obey*

The injunction appearing at the top of many of the pre-printed removal orders has a sonorous rhyme that may or may not have been intentional. However, it is striking, on reviewing the surviving documentation for the union parishes, just how many of the pieces are on pre-printed forms and the number of forms and printers involved in such a small sample. Dealing with settlement was clearly a significant enterprise. Up to 10 percent of money spent on the poor was spent on settlement litigation and removals: in 1776 one parish, Martletwy, spent 38 percent.⁷⁸ At the beginning of the period of this study, Burn, whose manual on local government was widely used at the time, wrote that the Poor Relief Act 1662 was the foundation of all settlements at the time of writing the manual, ‘upon which act there have been more cases adjudged than upon any other act in the statute book’.⁷⁹ Harrison’s regularly updated digest of reported cases contained summaries of almost 1500 cases dealing solely with the *acquisition* of settlement.⁸⁰ Thirty years earlier, Const had reported less than half that number.⁸¹ The harsh laws of settlement were modified when the concept of irremovability was introduced in 1846.⁸² Anyone residing in a parish for five years prior to an application was made could not be removed. This was further reduced to three years in 1861 and to one year in 1865.⁸³

⁷⁸ E J R Morgan, 'The Administration of the Poor Laws in Pembrokeshire, 1780-1870' (Unpublished PhD thesis, University of Wales, Swansea, 2005), p.69.

⁷⁹ 13 & 14 Car. II c.12 s.1, *An Act for the better Reliefe of the Poore of this Kingdom*, 1662; Burn, *The Justice of the Peace and Parish Officer*, , p.290.

⁸⁰ Harrison, *Harrison's Analytical Digest of All the Reported Cases*, .

⁸¹ Const, *Digest of the Laws Relating to the Poor*.

⁸² 9 & 10 Vict. c.66, *An Act to amend the Laws relating to the Removal of the Poor*, 1846. “Irremoveability” is spelt as of the time.

⁸³ 24 & 25 Vict. c.55, *An Act to amend the Laws relating to the Removal of the Poor and the Contribution of Parishes to the Common Fund*, 1861; 28 & 29 Vict. c.79, *An Act to provide for the better Distribution of the Charge for the Relief of the Poor in Unions*, s.8, 1865.

In order to understand how this complex framework operated in Cleobury Mortimer and its neighbouring parishes, it is first necessary to ask who was subjected to these laws of settlement and what were the reasons for their removal from parish to parish.

6.7.1 The plight of widows

It was not unusual for a widow to fall on hard times and she, and her children if any, could find herself being moved to a strange parish. Mary Richards and her 6-year-old son, William, were apprehended in Ludlow in October 1783, wandering and begging as vagabonds. On examination, she declared that before he died, her husband William had said his last place of settlement was Cleobury Mortimer.⁸⁴ They were ordered to be removed to Cleobury, but by an odd route. The constable was ordered to take them to the Township of the Rock, which lies to the east of Cleobury, whereas Ludlow is to the west, so they would have travelled further than necessary before doubling back. Elizabeth Moul appears to have been a 'respectable' widow and may not have expected her removal from Cleobury, one of a batch in 1773, to Doverdale where she may well have been related by marriage to Francis Moule, a gentleman farmer of Sneads Green House, Elmley Lovett, who dominated life in the area, a neighbouring parish of Doverdale.⁸⁵ Elizabeth Moul's husband, a miller from Doverdale, Worcestershire, had died eighteen years previously. She had been born in Milson, where her father was legally settled. Her husband owned estate of the value of twenty pounds per annum in Doverdale, which widow Moul occupied after his death for two years, paying the appropriate parish levies.⁸⁶

Young widows with children, or women abandoned by their husbands were also more likely to request relief and then be subject to removal. Two typical orders are for the removal

⁸⁴ SA P71/L/15/230a&b *Settlement Records*.

⁸⁵ John Maynard, 'The Agricultural Labourer in Worcestershire: Responses to Economic Change and Social Dislocation, 1790-1841' (Unpublished PhD thesis, Coventry University, 2005), p.108.

⁸⁶ SA P71/L/15/181 *Settlement Records*.

of mother and child, with no indication of what happened to the father. It should be noted, however, that both orders are for removal to Cleobury. There are no cases found of widows, or deserted wives, with children being removed from Cleobury, though there are several where they were ordered to be removed to the town. For example, Ephraim Charles, aged about eighteen months, and his mother Mary were ordered to be removed from Wombridge to Cleobury Mortimer in February 1829.⁸⁷ There is no mention of what had happened to Henry. John Bland and Mary Ann Spencer, both of Ludlow, were married in Ludlow in May 1806.⁸⁸ Their son, Henry, was baptized in Ludlow in January 1814 and buried there a year later.⁸⁹ A few weeks after the birth, Mary Bland and son Henry were ordered to be removed from Ludlow to Cleobury Mortimer but the order was suspended for two months due to Mary's sickness.⁹⁰

6.7.2 Multiple generations and multiple removals

Three generations of the Tongue family fell afoul of the long arm of the settlement laws. All were born and grew up in Ryton-on-Dunsmore, but Richard Tongue had (presumably) settlement in Cleobury, though the connection is not known. In February 1803, Sarah Tongue, the wife of Richard Tongue, was ordered to be removed with her children, Mary, aged about 4 years and six months and John, aged about six months, from Ryton-on-Dunsmore, Warwickshire, where they had come to inhabit and become chargeable, to Cleobury Mortimer. Sarah Tongue had been baptized in Ryton in 1775.⁹¹ Although the

⁸⁷ Ibid. P71/L/15/379; Ephraim was baptized in Wellington, Shropshire in September 1827, the son of Henry [Harry] Charles, born in Cleobury Mortimer in 1804 (TNA RG 4/1607 *Shropshire: Cleehill (Wesleyan): Births & Baptisms 1796-1829* April 19th 1804), and Mary Cadwallader, who had married in Wellington two months previously in July: SA *Wellington, All Saints, Parish Registers* P291/A/3/6 July 8th 1827; *ibid.* P291/A/2/2 September 2nd 1827.

⁸⁸ SA P176/A/3/2 *Ludlow Parish Registers* May 14th 1806.

⁸⁹ Ibid. P176/A/2/1 January 5th 1814; *ibid.* P176/A/4/1 January 12th 1815.

⁹⁰ SA P71/L/15/285 *Settlement Records*.

⁹¹ WCRO DR0011A/1 *Ryton-on-Dunsmore Parish Registers: Register of Baptisms 1770-1812* September 3rd 1775.

order refers to the examination of Richard Tongue, he is not in the order for removal.⁹² Twenty-two years later, in March 1825, her daughter Mary, included in the earlier removal order, was pregnant and living in Ryton-on-Dunsmore. She was chargeable to the parish and ordered to be removed to Cleobury Mortimer.⁹³

In March 1832, Elizabeth Tongue, the widow of John Tongue, Sarah's son, who was ordered to be removed in 1803, was again ordered to be removed, with her daughter Ann, from Ryton-on-Dunsmore to Cleobury Mortimer.⁹⁴ Elizabeth Ward was married to John Tongue in Ryton-on-Dunsmore; their daughter Ann was born there and John was buried there.⁹⁵

Notwithstanding the order of removal, in 1841, Elizabeth and Ann were still living in Ryton-on-Dunsmore, where Elizabeth worked as a ribbon weaver.⁹⁶ Ann Tongue was buried in Ryton in 1845 at the age of fifteen,⁹⁷ Elizabeth was still in Ryton in 1851, but listed as a pauper/handloom weaver,⁹⁸ and she was buried in Ryton-on-Dunsmore in 1858.⁹⁹

Somehow, Elizabeth managed to remain in or to return to Ryton, possibly because she was no longer chargeable.

⁹² SA P71/L/15/260 *Settlement Records*.

⁹³ Ibid. P71/L/15/358.

⁹⁴ Ibid. P71/L/15/404.

⁹⁵ WCRO DR0011/6 *Ryton-on-Dunsmore Parish Registers: Register of Marriages 1813-1837* April 8th 1828; *Ryton-on-Dunsmore Parish Registers: DR0011/4 Register of Baptisms 1813-1864* October 30th 1830; DR0011/7 *Ryton-on-Dunsmore Parish Registers: Register of Burials 1813-1879* January 29th 1832.

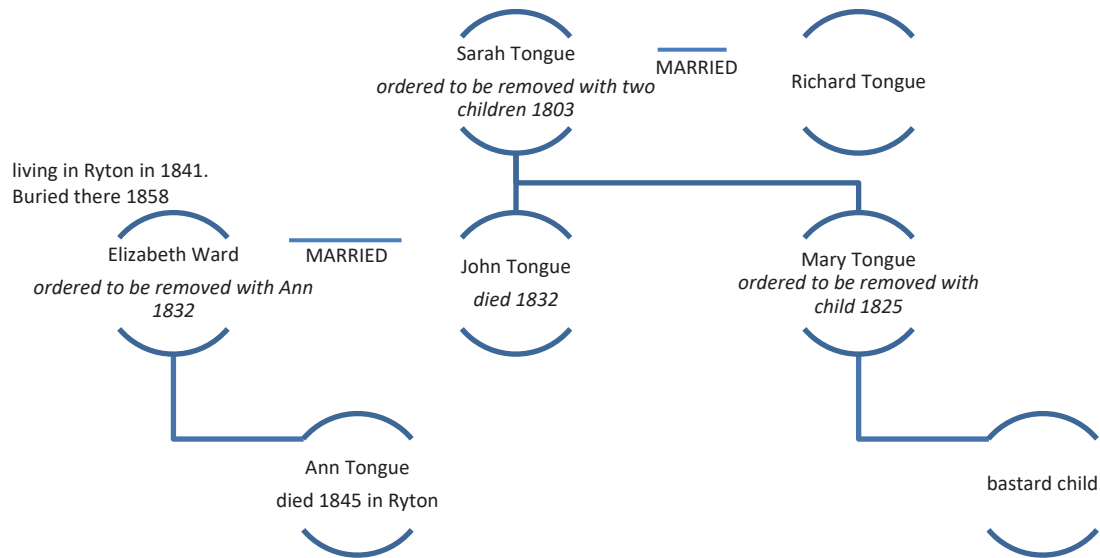
⁹⁶ TNA HO 107/1137/19 *1841 Census* f.4, p.3.

⁹⁷ WCRO DR0011/7 *Ryton-on-Dunsmore Parish Registers: Register of Burials 1813-1879* April 30th 1845.

⁹⁸ TNA HO 107/2070 *1851 Census* f.408, p.26.

⁹⁹ WCRO DR0011/7 *Ryton-on-Dunsmore Parish Registers: Register of Burials 1813-1879* December 30th 1858 [as Elizabeth Tong].

Figure 9 - The Tongue family



Despite the best efforts of the overseers of Ryton, three generations of the same family, all ordered at various times to be removed, managed to remain (or return and remain) for some considerable time. The connection to Cleobury Mortimer is not known, nor is it known what happened to Richard Tongue; why his wife and children had travelled back to Ryton from some place on their own; or where Richard Tongue was when he provided input to their removal order.

John Griffiths and his wife Sarah were ordered to be removed in January 1829 from the Foreign Liberty of Kidderminster to Cleobury Mortimer ‘where they were last legally settled’, as they had become chargeable.¹⁰⁰ A year and a half later, Sarah Griffiths was ordered to be removed from Bewdley, where she had become chargeable, to Cleobury Mortimer.¹⁰¹ It was not uncommon for individuals to suffer removal more than once during their lifetime. This was usually occasioned by an attachment to a particular place that was not their place of settlement.

¹⁰⁰ SA P71/L/15/378 *Settlement Records*.

¹⁰¹ SA P71/L/15/390 *Settlement Records*.

6.7.3 Change of heart

Occasionally, orders would be formally withdrawn. Benjamin Davies and his wife Jane were ordered to be removed from the Township of Farlow to Cleobury Mortimer in August 1816.¹⁰² Two months later, the order was withdrawn. The Chapelwarden and Overseer of Farlow agreed to take them back and to reimburse Cleobury Mortimer the costs and maintenance. There is no settlement examination to show why they were to be removed in the first place, but the withdrawal acknowledged that they were legally settled in Farlow.

Now and again, there are examples of overseers taking a more benevolent view. Richard Porter, with his wife Frances and sons John (aged 2) and Richard (aged 1), were ordered to be removed from Birmingham to Cleobury Mortimer in October 1829.¹⁰³ Execution of the order was suspended as the father was very ill. Settlement in Cleobury Mortimer was determined as Richard Porter was the son of John Porter who, though not living there, was an acknowledged parishioner according to the removal order. In January 1830, the order was annotated to say that Richard Porter was dead and that the sum of £5 had been expended on the family. Frances Porter wished to stay in Birmingham and the overseers there asked if Cleobury Mortimer would allow her 5s. per week. She wished to go out working but the order noted 'trade is so very bad there is no employment to be obtained for her at present'. There are no vestry records for 1830, so it is unknown whether the Cleobury Mortimer vestry agreed to the request. However, it appears that Frances Porter remained in Birmingham as she remarried, in 1832, to John Edwards,¹⁰⁴ and was living in Birmingham in 1841 with her two children by Richard Porter.¹⁰⁵

¹⁰² SA P71/L/15/301 *Settlement Records*.

¹⁰³ SA P71/L/15/384 *Settlement Records*.

¹⁰⁴ Ancestry.com *England Marriages 1538-1973* [Accessed August 23rd 2015], October 29th 1832.

¹⁰⁵ TNA HO 107/1146/3 *1841 Census* f.26, p.8.

6.7.4 Paupers returning after removal

It is not known whether the Tongues were removed and then returned or remained in the first place. They clearly had a strong sense of connection with Ryton-on-Dunsmore over several generations. Snell discusses the ideas of attachment to a locale and the sense of community that can be found there.¹⁰⁶ By examining the life-cycles of those who were subject to orders of removal, it can be seen that there was certainly – in some cases – a strong sense of ‘wanting to be somewhere’ – a particular place. Over 10 percent of those removed found their way back and, in some cases, can be seen living there for many years. Unfortunately, there is no data to support an analysis of how they came to return or how they were able to support themselves.

Before 1795, non-settled persons could be removed even if they had not claimed relief.¹⁰⁷ In April 1773, at the meeting to appoint overseers and churchwardens, it was ordered that ‘the several persons who have come to Inhabit in the parish of Cleobury not being Legally settled there nor produced any Certificate Owning them to be Settled elsewhere be removed to the several parishes to which they belong’.¹⁰⁸ The overseers’ accounts record expenses for four removals,¹⁰⁹ but the original examinations and orders survive for eight.¹¹⁰ None of those affected were actually chargeable – the overseers’ accounts contain no mention; all are described as ‘likely to be chargeable’, but with no apparent reason. William Wright and his wife Sarah, to be removed to Bewdley; Elizabeth Moul, widow, to Doverdale, Worcestershire; Luke Hyde and his wife Eleanor, to Hopton Wafers; and John Price and his wife Elizabeth to Holy Cross, Pershore. In addition, John Phesay, his wife and the four

¹⁰⁶ Snell, *Parish and Belonging*.

¹⁰⁷ 35 Geo. III c.101 *An Act to prevent the removal of poor persons, until they shall become actually chargeable*, 1795.

¹⁰⁸ SA P71/C/1/1 *Vestry Minutes* 1770-1779.

¹⁰⁹ SA P71/L/1/2 *Overseers’ Accounts* April 16th 1773.

¹¹⁰ SA P71/L/15/180-195 *Settlement Records*.

surviving of their nine children, were ordered to Neen Savage; John Palmer, his wife and eight children to Farlow; William Breakwell, his wife and son to Hopton Wafers; and Thomas Breakwell, his wife and six children to Diddlebury, Worcestershire. In the end, Thomas Breakwell was not removed: Mr Beddoe of Bransley Farm agreed to indemnify the parish as Breakwell was then a farm servant. Presumably the family remained.

Of the eight removals, four were defied. 1773 The Phesay family, widow Moul, William Wright and his wife, Luke Hyde and his wife all returned to Cleobury: the Phesays almost immediately and the others in June/July. There is no further mention of the Phesays, but the overseers' accounts show that the others were subject to further examinations and warrants were issued to show cause why they should not be sent to the house of correction.¹¹¹

Snell asks the question 'how important was such belonging to the poor?'¹¹² A few pages later, he writes that 'a language of "home", in relation to the parish of settlement, infuses the correspondence over settlement conducted by the poor and overseers'.¹¹³ This can only partially be true. Certainly, in the case, for example, of John Williams, who was examined in November 1824. John Williams, aged 56, was born in Cleobury Mortimer in 1769.¹¹⁴ In an examination of November 1824, he states that his father had been legally settled in Cleobury Mortimer.¹¹⁵ His father had married Ann Greenhalgh in August 1768.¹¹⁶ At the age of 15 or 16, he was apprenticed 'by a Charity at the said parish of Cleobury Mortimer to one Thomas Price for seven years' – that about two years after the expiration of his apprenticeship he was hired by one John Lewis, a roller of sheet iron, for a year at the weekly wage of twelve shillings. He worked with Lewis for the whole year and received his

¹¹¹ SA P71/L/1/2 *Overseers' Accounts*, July 12th 1773. Paupers returning after having been legally removed, without bringing a certificate from their parish of settlement, were to be treated as 'idle and disorderly persons' under 17 Geo. II c.5.

¹¹² Snell, *Parish and Belonging*, p.84.

¹¹³ *Idem*, p.87.

¹¹⁴ SA P71/A/1/4 *Cleobury Mortimer Parish Registers*, January 15th 1769.

¹¹⁵ SA P71/L/15/356 *Settlement Records*.

¹¹⁶ SA P71/A/1/4 *Cleobury Mortimer Parish Registers*, August 25th 1768.

full wages. He continued to work with Lewis for three or four years afterwards and, several times during his service with Lewis, he worked on the Sunday and at the time of his contract no mention was made of Sundays being excepted. He married Martha Watmore of Cleobury Mortimer, in Cleobury in 1802, and had children.¹¹⁷ Doubtless Williams had a strong sense of ‘home’ being Cleobury Mortimer. But would Thomas Dee have had the same view?

Thomas Dee, living in Bridgnorth, was examined in October 1821 and declared that ‘about fifty-three years ago’ he was hired to Charles Whitcombe of the parish of Cleobury Mortimer. He entered into his service and continued for two years since when he had done nothing to gain a settlement elsewhere.¹¹⁸ It is not known how long Dee was living in Bridgnorth and whether he then considered it ‘home’, or whether he felt safe living there in the knowledge that he had a settlement at Cleobury Mortimer. James Postons, who was ordered to be removed at the age of 16 from Cleobury Mortimer, having fallen foul of the rule that the son of a certificated man could not gain a settlement by apprenticeship in the certificated parish,¹¹⁹ clearly felt that he belonged in Cleobury Mortimer as he returned after removal.¹²⁰ In the 1851 census he was living on his own in Lion Lane, Cleobury Mortimer, where he is described as a labourer.¹²¹ He died in Cleobury Mortimer in 1854.¹²²

The same happened to John Bishop and his family and William Wright and his wife forty-three years earlier.¹²³ William Wright was examined in September 1772.¹²⁴ He was born in Cleobury Mortimer,¹²⁵ but his father had been certificated from Bewdley. He married

¹¹⁷ Ibid. P71/A/3/1, November 14th 1802; P71/A/1/4, March 6th 1804; *ibid.* February 8th 1807.

¹¹⁸ SA P71/L/15/346 *Settlement Records*.

¹¹⁹ Sayer, *Reports of Cases Adjudged in the Court of King's Bench*, p. 345.

¹²⁰ See ch.5 fn. 94.

¹²¹ TNA HO 107/1985 1851 *Census* f.33, p.26.

¹²² SA P71/A/4/1 *Cleobury Mortimer Parish Registers*, October 19th 1854.

¹²³ SA P71/L/15/197 *Settlement Records*; *ibid.* P71/L/15/173 & 175.

¹²⁴ SA *Settlement Records* P71/L/15/167.

¹²⁵ SA P71/A/1/3 *Cleobury Mortimer Parish Registers*, June 9th 1745.

Sarah Green of Cleobury in December 1771.¹²⁶ Their son, William, was described in the examination as being about one week old. He was born at the end of August.¹²⁷ However, the details of the child have been scored out on the examination. This is because the infant died and was buried two weeks after the settlement examination was recorded.¹²⁸ The examination was re-sworn in April 1773.¹²⁹ It reiterated that William was apprenticed by indenture to William Holland, mason, of Cleobury Mortimer for the term of five years and served the full term all but one month which he bought of his master. He and his wife Sarah were considered likely to become chargeable and were ordered to be removed to Bewdley,¹³⁰ where they were conveyed by Charles Brown, one of the Cleobury overseers on April 28th 1773.¹³¹ However, they returned to Cleobury Mortimer ‘not having brought with them or produced any Certificate showing them to be Legally settled in the said Borough of Bewdley’.

It was not just labourers, single women and widows who were removed. The overseers had no compunction about removing whole families, but sometimes attempts were made to defy the orders. John West, originally from Hayop, gained a settlement in Stretford, Staffordshire, by being hired as a servant. By the time he was living in Cleobury Mortimer, he had a wife and children, but was ordered to be removed. Hoping to allow his family to remain and receive support, he absconded, but an order was given to the constable to bring him before the magistrates – where he could be charged under the Vagrancy Act. The overseers also took steps to remove people who, at first sight, may have had more substantial means but who, prior to 1795, could be removed without being chargeable. Thomas Holland

¹²⁶ SA P71/A/3/1 *Cleobury Mortimer Parish Registers*, December 2nd 1771.

¹²⁷ SA P71/A/1/4 *Cleobury Mortimer Parish Registers* August 29th 1772.

¹²⁸ *Ibid.* *Cleobury Mortimer Parish Registers*, September 17th 1772.

¹²⁹ SA P71/L/15/180 *Settlement Records*.

¹³⁰ SA P71/L/15/188.

¹³¹ SA P71/L/15/197.

was born at Mansfield, Nottinghamshire and married in Elmore, Gloucestershire, in 1819.¹³² In 1824 he went to live at Ledbury, Herefordshire where he rented a house and garden for two years, but then moved to his own house, one of two which he had built on a freehold property he acquired in Ledbury and lived there two and a half years.¹³³ In September 1831 he was living with his wife Maria and six children in Cleobury Mortimer. They had become chargeable after the birth of his daughter, but his wife was ill so the order of removal to Ledbury was suspended.¹³⁴ The suspension was not lifted but instead, a new order was drawn in October, removing the family to Bayton (no corresponding settlement examination survives and there is no apparent reason why he had a settlement in Bayton), but this too was suspended until December 1831.¹³⁵

We do not know why John Cureton and his wife were examined twice in 1775. He was born in Clee St. Margaret; she was from Knighton, Worcestershire. In the first examination, he said he had an estate for life in Burford, Worcestershire of the value of fifty five pounds on which he was assessed and paid taxes and which he had occupied for four years.¹³⁶ He was examined again eight months later but this time added that during his time in Burford he served in the office of Constable.¹³⁷ His estate and the office both gained him a settlement in Burford, so although he was now resident in Cleobury Mortimer renting a tenement, on which he paid parish rates, he was not assessed to them so could not gain settlement. Cureton and his wife were removed to Burford.¹³⁸

In the case of Thomas Mills and his family, the removal was complicated by the fact that he was Irish. In 1818, he with his wife and five children were ordered to be removed

¹³² Gloucestershire Archives (GA) *Elmore Parish Registers* P136 IN 1/7 April 3rd 1819.

¹³³ SA P71/L/15/396 *Settlement Records*.

¹³⁴ *Ibid*, P71/L/15/397.

¹³⁵ *Ibid*, P71/L/15/398.

¹³⁶ *Ibid*. P71/L/15/203.

¹³⁷ *Ibid*. P71/L/15/204.

¹³⁸ *Ibid*, P71/L/15/205.

from the parish of St Clement, Worcester to Cleobury Mortimer.¹³⁹ His wife was ill, so the order was suspended for just over a month. Until 1819 when the law was changed,¹⁴⁰ Irish persons had no settlement and had a right to claim relief in the parish in which they resided. There is no obvious connection between either Thomas or Sarah Mills and Cleobury Mortimer. The records suggest that the Cleobury Mortimer overseers objected to the removal and a few weeks later the order was withdrawn ‘by reason only of the said Thomas Mills being thereby ordered to be removed’.¹⁴¹ But the overseers of St Clement still wished to remove his wife and five children. The only way in which this could be done was with her consent to be removed to her place of settlement, as the law did not allow a husband and wife to be separated.¹⁴² There are no records of the Mills in Cleobury Mortimer: they may have remained in Worcester and the subsequent order was not obtained.

6.8 Certificates

Until 1795, the only certain way of living in another parish without being concerned about removal was to obtain a certificate from your parish of settlement – it acted as a stabilizing document unless you became chargeable. Only one actual certificate was found in the parish records - that of Richard Perry.¹⁴³ Richard Perry was examined in June 1770. He was born, he says, in the parish of Cardington, Salop, and at the age of fourteen was apprenticed to Peter Harper of Morville, Salop, where he served his seven years. He moved to Cleobury Mortimer

¹³⁹ Ibid, P71/L/15/324.

¹⁴⁰ 59 Geo. III c.12, *An Act to amend the Laws for the Relief of the Poor*, 1819, s.33-34: the law was changed to allow Irish paupers to be deemed ‘rogues and vagabonds’ at the discretion of a magistrate if they had not gained settlement in England, even though they had not committed any offence. They could then be returned under the ‘pass’ system under which a magistrate could sign a pass, requiring an Irish pauper to be returned to Dublin or Cork. Under the system, each county through which the pauper passed was responsible for transporting the pauper from border to border and the costs; 17 Geo. II c.5 s.7-14. Between 1795 and 1819, though, they had to have claimed relief. Without a settlement a pauper had a right to claim relief in the parish he resided, but returning a pauper to Ireland was disproportionately expensive.

¹⁴¹ SA P71/L/15/323 *Settlement Records*.

¹⁴² Harrison, *Harrison's Analytical Digest of All the Reported Cases*, , pp.1724-5.

¹⁴³ Ibid, P71/L/15/163 (There are three certificates in total, but only one for the period of this study.).

around the end of 1769 with his wife Elizabeth and three children and paid the parochial rates there.¹⁴⁴ He was in possession of a certificate from Morville which named him, his wife and children.

There are other references to certificates, though, in settlement examinations. Ann Elvas, widow of Joseph Elvas, was examined in June 1776. She was living in Cleobury Mortimer by virtue of a certificate issued by the overseers of Colton, Staffordshire, and had become chargeable to Cleobury.¹⁴⁵ The certificate was dated June 9th 1735 and the examination noted that Ann Elvas had been living for ‘some time past’ in Cleobury Mortimer. An order for removal to Colton was made with a note on it confirming that she was delivered to the overseer of the poor at Colton on June 9th 1776. Elvas had been living in Cleobury Mortimer for over forty years under her certificate.¹⁴⁶

6.9 Conclusions

Surprisingly little has been written about the detail of family life as affected by poverty in the eighteenth and nineteenth centuries. Although Blaug and Snell offered an intriguing concept of a ‘welfare state in miniature’, rather than being examined in detail, the concept has only been mentioned in passing by a few authors. To gain a better picture of what life was like, more needs to be done to recreate the life histories of families where there are multiple interactions with the poor law regime. Large-scale family reconstitution is not advised as a technique. It is time-consuming and does not necessarily produce interesting findings. Rather, the approach adopted here in which a prosopography is created from the mass of data about individuals from differing types of source material, is recommended for being

¹⁴⁴ Ibid, P71/L/15/159.

¹⁴⁵ Ibid. P71/L/15/208a&b.

¹⁴⁶ The connection with Colton is not known. It is likely that Elvas and her husband were from Neen Savage, had a child there and another in Cleobury Mortimer some years later: SA P203/A/1/2 *Neen Savage Parish Registers*, February 20th 1730; Idem. November 2nd 1731; SA P71/A/1/3 *Cleobury Mortimer Parish Registers*, December 30th 1743.

potentially more fruitful. The more interesting life stories – those with combinations of indoor and outdoor relief, settlement removals, medical treatment and generational poverty, for example – can be identified and then investigated more fully.

Under the old poor law, there was no consistency in the treatment of paupers. Each parish operated in its own way and there were significant differences, for example, in the way in which and the extent to which relief in kind was offered. Some parishes were very generous with relief in kind and in others it is rarely seen. Single-parent families and women with illegitimate children were well looked after and some parishes went to extraordinary lengths to recover relief given from absent fathers. It is rare to see relief given to families with able-bodied men at the head, though there are examples of work being offered instead. Families in poverty due to illness were well supported and although there is little record of medical care it seems to have been available when required.

By their nature, the overseers' accounts and vestry minutes are quite terse, but there is an overriding impression that the poor were being looked after. There is no sense of rancour prior to the formation of the union, rather of the overseers and vestry taking their duties seriously, with an almost benevolent attitude. It is clear from the case studies that the 'life-cycle' of poverty for families was more complex than suggested by Snell and others. Families went into and out of poverty and suffered extremes. Desertion was a common theme and generational poverty was a real issue.

Things changed after the formation of the union. The workhouse had been in place for some time, but the guardians increasingly offered families the workhouse instead of outdoor relief. Families went to great lengths to avoid the workhouse. Unlike the earlier records, it is possible to read the guardians' minutes and gain some insight into what they thought. More and more, character became an issue after the guardians took over. Outdoor relief was

haphazard – there seemed to be no pattern or rules of thumb for determining who received relief and in what form, with flour being given frequently instead of money, but inconsistently.

Although removals of whole families were regularly ordered, there are no recorded instances of single-parent families being removed from Cleobury Mortimer, although several were moved in. Families had strong attachments to a place, a sense of belonging and often defied orders of removal, or when their circumstances changed, returned to that place.

7. Life stages: Illness and Death

This chapter looks at how the vestry, and later the union, dealt with paupers when they were ill and considers whether or not it falls within the definition of a ‘welfare state’. The definition suggested earlier, ‘a system whereby the state undertakes to protect the health and well-being of its citizens, especially those in financial or social need, by means of grants, pensions, and other benefits’, does not specifically mention medical care, although this could be implied. It also examines how and when paupers died.

Figure 10 - The Stone Breaker, Henry Wallis¹



¹ Untitled at the Royal Academy exhibition of 1858, it was later exhibited in Birmingham 1861 under the title ‘Now is done the long day’s work’ from Tennyson’s ‘A Dirge’. It has come to be known as ‘The Stone Breaker’ and is now in the Birmingham Museum and Art Gallery (Accession number 1936P506 – reproduced under a Creative Commons CC0 licence).

Henry Wallis caused a sensation when he exhibited his painting, #562, at the Royal Academy in 1858. It depicted a man lying by a wall in the evening light. On close inspection, he was not asleep; he was very dead² – apparently from his labours breaking stones, a common task given to paupers in the workhouse. Whilst John Ruskin thought it the painting of the year, and William Rossetti gave it great praise, one critic found it shocking and offensive.³ Perhaps the visitors to the Royal Academy found the subject matter too disturbing, but the critic writing in the *London Daily News* saw it ‘as intended to illustrate the consequences of unfavourable external conditions of society. ... the model peasant, victim of social mistakes’.⁴ There is no evidence that Wallis was making a social comment, despite his radical views, though the catalogue entry quoted from Thomas Carlyle’s *Sartor Resartus*,⁵ and the painting was seen as a justified criticism of the poor law and forced labour in exchange for food and lodging.

Intentional or not, what is relevant about the painting is the depiction of death through stone breaking. Though the man in the painting is clearly not old, the effort in stone breaking for many hours every day brought an early end, even to a previously fit person – and the diet of the workhouse was unlikely to help. Unfortunately, there are not many readily available records of what people actually died of in the workhouse. Detailed General Register Office records are not easily accessible and even workhouse records themselves often simply record

² "Exhibition of the Royal Academy", *London Daily News*, May 10th 1858, p2. The phrase ‘very dead’ was used by the writer of the article.

³ John Ruskin, 'Notes on Some of the Principal Pictures Exhibited in the Rooms of the Royal Academy, IV – 1858', in *The Works of John Ruskin*, ed. E.T. Cook and Alexander Wedderburn (London: George Allen & Co, 1904 (1858)), p.170; William Rossetti, "Fine Arts - the Royal Academy Exhibition", *The Spectator*, May 2nd 1858 p.579; "The Exhibition of the Royal Academy", *The Illustrated London News*, May 15th 1858, issue 917, p.498.

⁴ "The Exhibition of the Royal Academy".

⁵ Thomas Carlyle, "Sartor Resartus", *Fraser's Magazine for Town and Country*, June 1834 bk.iii. ch. iv. ‘Hardly-entreated Brother! For us thy back was so bent, for us were thy straight limbs and fingers so deformed: thou wert our Conscript, on whom the lot fell, and fighting our battles wert so marred. For in thee too lay a god-created Form, but it was not to be unfolded: encrusted must it stand with the thick adhesions and defacements of labour; and thy body, like thy soul, was not to know freedom.’.

reason for discharge as ‘death’, but without a cause.⁶ After 1837, parish registers rarely mention cause of death as this was recorded in the Registrar-General’s registers. However, one exception is the parish of All Saints, Wigan in Lancashire where cause of death is recorded in the majority of cases from 1779-1849.⁷ The most prevalent causes are debility, decline, weakness and decay along with some specifics such as asthma, consumption, dropsy, fits, diabetes, smallpox, being burned, suicide, surfeit (of?) and in children measles, croup and teething.⁸ Decline and weakness, which could be caused by overwork, could equally be attributed to poor diet, lack of warmth, and mental state though there is no mention of overwork itself.

In Cleobury Mortimer, there is in fact a reference to a death from breaking stones. Francis Owen, aged 77, despite his protestations of being ill, was forced by the master of the workhouse to break stones after dinner. He died on June 11th 1847 after ‘a sudden attack of difficult breathing and very ill indeed’, the day after the stone breaking.⁹ Pope, a local surgeon, accused the master of having caused his death. Stone breaking – half a yard of stone, a substantial amount – was one of three tasks, along with oakum picking and garden work ordered by the guardians, but was not to exceed four hours nor was it to be required from ‘any person to whose age, strength and capacity it shall appear not to be suited’.¹⁰ Despite it being arguable that Owen should not have been breaking stones, the guardians decided an inquest was unnecessary. Owen’s age at death was not unusual, nor was the fact that he was still considered of working age.

⁶ For example, the surviving London records in the London Metropolitan Archive; nevertheless, the Registrar-General’s annual reports do provide summaries at county level.

⁷ The OnLine Parish Clerks Project for the County of Lancashire: www.lan-popc.org.uk/Wigan/Wigan/allsaints/burials.html [Accessed January 4th 2016].

⁸ Teething was often mistakenly thought to be a cause of death when the two coincided. As many as 7.3% of children under three in London were recorded as dying from teething (Leonard Guthrie, H.A.T. Fairbank, and J.G. Turner, ‘Discussion on Teething and Its Alleged Troubles’, *British Medical Journal* 2, no. 2486 (1908)).

⁹ SA PL5/7, September 27th 1847.

¹⁰ TNA MH 12/9883 Workhouse Task of Work Orders, *Correspondence*, April 1st 1844, July 22nd 1844.

Life expectancy in the 1840s was short – it was 40 and 42 for males and females in 1841.¹¹ The median age for death was 45 and 47 years respectively. However, the modal age at death was 71 and 77.¹² In Cleobury Mortimer the median age for deaths of those who survived childhood between 1813 and 1873 was 63 and 62.5, substantially higher than that nationally, though modal ages of 74 and 80 are only slightly higher (median ages at all deaths were 44 and 43). However, a surprising number lived well beyond those ages: 24 percent of all male deaths (excluding children under 10) were over 74 and 13 percent of females were over 80 (up to age 94 in males and 98 in females). For the same period, deaths in the workhouse show a different picture. Median ages at death are 67 and 51, for males and females respectively, with modal ages of 45 and 30.

The old saw, grouping ‘lies, damned lies and statistics’,¹³ mandates care in drawing conclusions. The workhouse sample is small (260 in total) and the statistics are of the simplest sort, but it appears that lifespan in Cleobury Mortimer was longer than the national average. It is also clear that, for those in the workhouse, females generally died at a younger age than males. The other fact that stands out is that of the workhouse as the ‘antechamber of the grave’.¹⁴ Almost 25 percent of all males who died at age 60 or over died in the workhouse, compared with only just over 10 percent of females.

¹¹ 'Mortality in England and Wales: Average Life Span, 2010', 2012, p5.

¹² These were calculated in the report by excluding those babies and children dying under the age of 10 years in order to remove the extreme sensitivity of life expectancy and median age at death to mortality among infants and children.

¹³ In origin, probably attributable to Sir Charles Dilke: ‘false statements might be arranged according to their degree under three heads, fibs, lies, and statistics’. ("The Wellington Division", *Bristol Mercury, Daily Post, Western Counties & South Wales Advertiser*, October 19th 1891). The article on the University of York, Department of Mathematics history of statistics webpage gives further information: <http://www.york.ac.uk/depts/maths/histstat/lies.htm> [Accessed January 4th 2016].

¹⁴ The term ‘antechamber of the grave’ was coined by Thomas Wakley, one of the founders of *The Lancet* (Thomas Wakley, 'The Poor-Law Amendment Act', *The Lancet* 36, no. 922 (1841), p.194).

7.2 ‘He’s *only* a Pauper, whom nobody owns!’¹⁵

Statistics can paint a broad picture of the instances of death in the locality, but to gain a truer understanding of the reality, individual cases need to be examined. The records relate in great detail a number of deaths due, apparently, to the failure to provide adequate medical intervention. After the Poor Law Amendment Act, medical officers were contracted to provide care to the sick in the workhouse and to paupers in their own homes. However, for those latter, the medical officer required an order, which was provided by the relieving officer or an overseer. These officials were not medically qualified and may have given – or withheld – approvals on social rather than medical criteria. The need to obtain an order also caused delay in cases that were otherwise urgent.

The widow Matthews had taken ill with a violent cold on December 21st 1843. Three days later she became so ill as ‘to be alarmed about herself’ and sent for Mr Pope, the surgeon. On the way, her daughter called at the relieving officer at Kinlet for an order, but he was not at home. The next morning, she went again with another person, but the relieving officer was again away from home and they proceeded to Cleobury Mortimer to Mr Pope. He refused to attend the patient without an order, but gave the daughter some pills. They were not aware that they could have gone to the relieving officer in Cleobury, but finally obtained an order at Kinlet and on the third day after asking, Mr Pope visited the widow Matthews whom he pronounced seriously ill and in great danger. On his way back, he met one of the guardians, Mr Childe, who insisted he see the patient again the next day, to which Pope agreed. But he did not keep his word, protesting to the daughter that he could not be expected to go every day, but would go the next morning. Widow Matthews died before the daughter returned home. When Pope arrived the next morning, he vented his anger on the daughter for

¹⁵ Thomas Noel, *Rymes and Roundelays* (London: William Smith, 1841) From the poem, ‘The Pauper’s Drive’, p.200.

‘in the midst of her affliction she had omitted to inform him of her mother’s decease’.¹⁶ Unsurprisingly, Pope’s version of events was somewhat different and he claimed to have told the daughter anyway that it was likely her mother would die before her return.¹⁷ Based on this episode, the guardians required the clerk to write to the Poor Law Commission ‘once more to express their anxious desire to be relieved at the next appointment of Medical Officers from the necessity of placing the Medical relief of the Poor in the hands of parties in whom not one of the guardians places confidence’.¹⁸

Bernard Beale was accused of neglect in the case of Ellen Wyer, a child in Neen Sollars. He did not visit, but sent medicine based on a description of her symptoms by her father who said ‘she was like to die’. Beale recommended a warm bath, but the child died immediately on being placed in the water. At the inquest a rival surgeon claimed she must have had ‘scarlet fever with suppressed eruption’ and died from exhaustion; Beale considered she had ‘irritable fever caused by sore throat’ and died from effusion. Neither had actually examined the child.¹⁹ Accusations of medical negligence, which led to a great deal of conflict between the medical men of the area, is a common thread running through the surviving documentation. Examples are given in Chapter 2.3.

7.3 Mortality and the poor

In the 63 years prior to 1712, there are only thirteen references in total to anyone being ‘poor’ in the Cleobury Mortimer burial registers. This changed dramatically in 1712 when 40 percent are so described and 50 percent the following year. From 1712-1739 more than 28 percent are recorded as poor, and then the word all but disappears until 1777 (though there are

¹⁶ SA PL5/5, 8th January 1844.

¹⁷TNA MH 12/9882 Thomas Pope to the Poor Law Commission, *Correspondence*, January 30th 1844.

¹⁸ SA PL5/5, January 24th, 1844; TNA MH 12/9883 Copy of guardians’ minute, April 1st 1844, forwarded to the Poor Law Commission, *Correspondence*, April 4th 1844.

¹⁹ "Inquest - Alleged Neglect", *Berrow's Worcester Journal*, January 10th 1857. (Pericardial) effusion is a build-up of fluid around the heart.

the occasional references). From then until 1801, an average of 18 percent are described as poor, or dying in the workhouse, hitting a peak of 56.25 percent in 1793. As many as 25 percent died in the workhouse in 1784 with other peaks of almost 20 percent (in 1780, 1788 and 1791) – an almost regular four-year cycle over those twelve years. Possibly due to a change of heart, none are shown as paupers from 1802-1812. The registers from 1813 do not record occupations but do show place of abode and therefore record who died in the workhouse. Whilst the Cleobury Mortimer area registers do not show why people died, several features stand out.²⁰

The vast majority of people living in the Cleobury Mortimer area were employed as labourers, farm servants or domestic servants. It is to be expected that their lifestyle was simple, with a meagre diet and prone to ailments. Why did they live so long? Using the data from 1841, just over 12 percent of males dying that year in England were over the age of 70. For Shropshire, the figure was 16 percent, but for the district containing the Cleobury Mortimer area, it was more than double the national rate at 24 percent (which is consistent with the figure shown above for the period 1813-1873).²¹ Some key questions arise out of these figures. Why did people live to such an old age? Why did so many old men die in the workhouse? And why did women in the workhouse die so young?

²⁰ It should be noted that reliance on the registers means that data is necessarily incomplete as they may exclude details of non-conformists. Baptismal records may also not include some children – it was not unknown for some children not to be baptized until very late – or at all. Infants dying at less than four to six weeks old may not have been baptized.

²¹ 'Abstract of ages at death in the year 1841, *Fifth Annual Report of the Registrar General*. The district consisted of the Shifnal, Bridgnorth and Cleobury Mortimer sub-districts.

7.4 Death in and out of the workhouse

7.4.1 Death in the workhouse

Hannah Potter, the first person to enter the workhouse, with her three children, was buried from there a few months afterwards in December 1837. The inquest decided that she probably died from a ruptured blood vessel.²²

George Moultrie, vicar of Cleobury Mortimer from 1800-1845, was a forthright man, as evidenced by a number of his letters. In those forty-five years, he made only five comments in the burial book as to cause of death. These were Sarah Atkins, who drowned in the river Rea aged 63; Ann Jones aged 4, and Thomas Baynham, aged 6, who both died from burns in 1838; two cases of smallpox in the workhouse in 1838; one suicide in 1835; and the death of Ann Wadeley.²³ Even sensitive clergymen were inured to death but Moultrie was clearly shocked when Wadeley died. A note in the burial register entry of February 28th 1832 states: ‘Ann Wadeley was brought from Hopton Wafers under circumstances of particular barbarity. She was found in a stable there, left as it is said by her husband & deserted in a dreadfully emaciated state.’ Wadeley died in the workhouse, but there are no records for the period.

John Hammond died in the workhouse. He was buried on 1st October 1783 and described as a ‘Pensioner of Chelsea Hospital’.²⁴ This probably only meant that he was in receipt of an army pension. The Chelsea Hospital was the paying body, employing agents

²² SA PL5/100 Inquest into the death of Hannah Potter, held at the Talbot Inn, Cleobury Mortimer, December 8th 1837.

²³ SA P71/A/4/1 *Cleobury Mortimer Parish Registers, Burial Register 1813-1873*.

²⁴ A John Hammond was admitted to Chelsea Hospital lists on March 17th 1777, aged 62 having served forty-two years. (TNA WO 120/6 *Royal Hospital Chelsea: Regimental Registers of Pensioners. Broken Regiments and Militia*). He was described as ‘Drum Major John Hammond – worn out, born at Burry a labourer’. But there is no evidence to say that ‘Burry’ was a misheard Cleobury, or that they were one and the same person.

around the country and paying pensions every six months.²⁵ It leaves the question, however, of why he was in the workhouse and what happened to his pension.

7.4.2 Death of aged males in the workhouse

Jeremy Boulton, Romola Davenport and Leonard Schwarz concluded that high death rates in the workhouse seem to have been caused by the admission of the elderly, the fragile and the seriously ill. They state that it was always the case that the proportion of those buried from the workhouse was higher than the small proportion of the population living there at that time, due to the numbers finding themselves there because of serious illness.²⁶ In an editorial in *The Lancet* in 1841, Thomas Wakley lambasted the Poor Law Commissioners for the number of people dying in the workhouse. Wakley pointed out that the workhouse death rate in London workhouses in 1837 was 20.7 percent, as opposed to 3.1 percent for the same general population in St Giles's, London.²⁷ Although age would account for a part of it, he questioned that as an overall explanation. Nationally, 44 percent of those in workhouses were under the age of 16 and the mortality rate of those older than 60 in the whole of England was only 7.5 percent. The workhouse death rate in the elderly was disproportionately high.

Boulton, Davenport and Schwarz concluded that around 15 percent of all burials in the parish came from the workhouse, despite the workhouse population being only 2-3 percent of the total (2-5 percent for Cleobury Mortimer district – see below). They explain that this disproportionate share was due to the intake of sick and dying paupers.²⁸ However, from the Poor Law Commissioners' reports, Wakley found that only 6 percent were admitted due to

²⁵ Caroline Louise Nielsen, 'The Chelsea out-Pensioners: Image and Reality in Eighteenth-Century and Early Nineteenth-Century Social Care' (Unpublished PhD thesis, Newcastle University, 2014), p.138.

²⁶ Jeremy Boulton, Romola Davenport, and Leonard Schwarz, 'These Ante-Chambers of the Grave?', in *Medicine and the Workhouse*, ed. Jonathan Reinartz and Leonard Schwarz (Rochester, NY: University of Rochester Press, 2013), p.79.

²⁷ Wakley, 'The Poor-Law Amendment Act'.

²⁸ Boulton, Davenport, and Schwarz, 'These Ante-Chambers of the Grave?', p.69.

sickness, 11 percent were constantly sick and 36 percent were defined as infirm, although that would have included infirmity simply due to age. It was Wakley's firm view that high rates of death in the workhouse were caused by a combination of poor diet and the simple fact of confinement there. The ascription of death to decline, weakness, debility and decay in Wigan suggests that this may have been true.

There are no statistics for the number of sick and dying paupers coming into the Cleobury Mortimer workhouse, nor for how long inmates were resident. The workhouse population was not large. Altogether, 305 people are listed in the census returns for 1841-1871 as being inmates of the workhouse on the census dates. The burial registers list 249 as being in the workhouse when they died during the period 1813-1871, of whom fourteen are listed in the census and forty-five died in infancy. To these must be added 185 women who gave birth in the workhouse minus a handful who appeared in the census or who died in or soon after childbirth. This gives a total of 670-680 individuals who are known to have been in the workhouse at some time or other. These figures do not of course take account of those who might be included in those burial registers which were not readily available, or who are not marked as having been in the workhouse when they died; nor those who went into the workhouse and left between census dates.

Boulton, Davenport and Schwarz's findings do not explain the disparity between male and female deaths. Either there was a much greater number of elderly males in the workhouse compared to females, or the males were inherently more inclined to die in the workhouse. Longmate was fairly clear that there were more elderly women than elderly men in the workhouse 'as women lived longer than men'.²⁹ Taking 1861 as an example, nationally there were about 25 percent more elderly women than men, although in the Cleobury Mortimer area

²⁹ Longmate, *The Workhouse: A Social History*, p.154.

the numbers were about even: 455 men and 464 women respectively.³⁰ And though the overall numbers aged over 60 were not so pronounced in 1851 (about 15 percent more women) there were considerably more female nonagenarians.³¹ Nationally, the 1861 census found that for all ages:

The relative numbers of the sexes of in-door paupers are not widely different, 62,320 being males and 63,402 females.

From the number of widows who are yearly left destitute, and the comparative helplessness of women, when in distress, a large excess of females in workhouses might perhaps have been expected. To every 10,000 males and 10,000 females in England and Wales there were 64 males and 62 females in workhouses at the time of the Census.³²

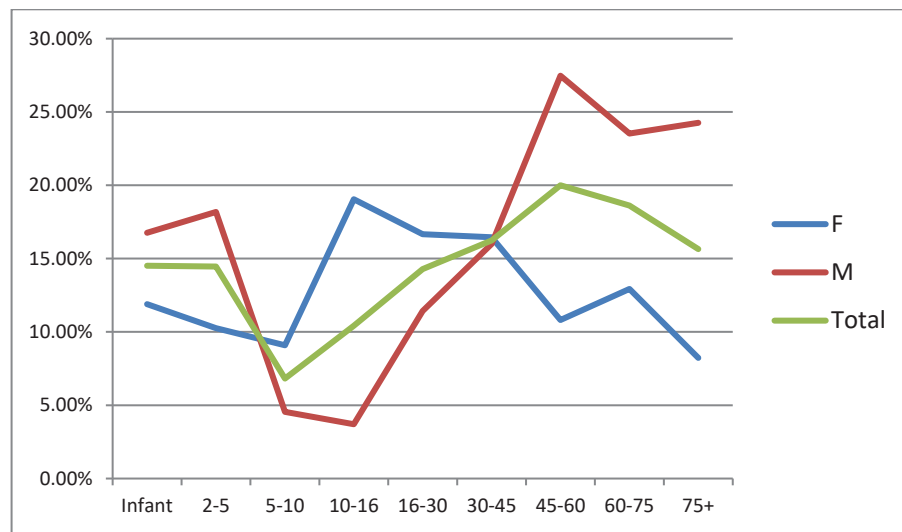
Looking at elderly residents of the workhouse, however, the figures are quite different. Longmate's claim regarding numbers is only true of London workhouses: in every other district, elderly men outnumber elderly women (nationally, excluding London, by almost 2:1). The same census for Shropshire overall shows a slightly greater proportion of females in the workhouse: 738 versus 680 males. However, for the elderly alone, the 198 males outnumber the 104 females; again by almost 2:1.

³⁰ *1861 Census of England and Wales, General Report; with Appendix of Tables (Vol LIII)*, (3221), 1863 Part II.

³¹ *Census of Great Britain, 1851. Population Tables. II. Ages, Civil Condition, Occupations, and Birth-Place of the People: With the Numbers and Ages of the Blind, the Deaf-and-Dumb, and the Inmates of Workhouses, Prisons, Lunatic Asylums, and Hospitals. Vol. I.*, [1691-1], 1852-3.

³² *1861 Census* Part I., p.66.

Figure 11 - Workhouse burials as a percentage of total -1813-1873



The chart shows the proportion of those dying in the workhouse as a percentage of those dying in total – the figures are across the period 1813-1873. The workhouse population as a percentage of actual population ranged from 2.16 percent (in 1861) to 4.73 percent (in 1851). From the Cleobury Mortimer Workhouse census figures (*Table 19*), it can be seen that it is not until much later that there are far more men in the workhouse than women.

Table 20 - Workhouse population from census

	Female	Male	Grand Total
1841	26	24	50
1851	42	40	82
1861	16	19	35
1871	33	27	60
1881	14	21	35
1891	12	32	44
Grand Total	143	163	306

However, for elderly inmates (aged 60 and over) there is a different pattern. In the Cleobury Mortimer workhouse elderly men outnumber women by 9:3 in 1841, 11:2 in 1851, 6:2 in 1861 and 10:3 in 1871. Despite a fairly even split between elderly males and females in the local population, in the four census years (1841-1871) there were almost four times as many elderly men in the workhouse as women. Although not known, the numbers at other

times have to be somewhere between two and a half and almost four times as many elderly men as women.

Elderly deaths overall from 1813-1871 were similar for both sexes: 294 males to 298 females. So, in answer to the question ‘Why did so many elderly men die in the workhouse?’ it was simply a factor of the number of elderly men in the workhouse compared with women. It is not that men were more inclined to die in the workhouse.

Why were so many elderly men in the workhouse? As mentioned earlier, nationally (at least in 1861, for which detailed figures are available) elderly men outnumbered elderly women by about 2:1. The 1861 census report indicated that a large excess of females might have been expected, although not necessarily elderly. It is possible that older women stayed out of the workhouse because they were useful to their families – childminding and chores around the house enabled younger adults to work. Women’s lot was such that they may have been more industrious, turning their hand to many different tasks and acquiring multiple skills that made them employable in old age. A stark picture was painted in the 1909 Royal Commission report on the Poor Laws. Although written much later, it drew on the experience of the latter half of the Victorian era:

Men do not so frequently attain to old age under disadvantageous circumstances as women do. Old men go more readily into the Workhouse than old women. Women struggle longer and with greater determination with the difficulties of poverty, and the incapacities of old age. Families in poor circumstances find it is less possible to provide food and shelter for an old man who is a relative than for an old woman.

He is more in the way, he expects not only a larger portion of the food, but to share in the better portions. He does not fit into the household of a working family as an old woman does, and is not so useful in domestic matters.

His welcome is colder, and he desires to get out of the way, and goes to the workhouse. A decent old woman will cling to a home where she may be regarded as the drudge rather than as the grandmother or the aunt, and she will

exist on the plainer portions of the meals, and will wedge in both day and night without encroaching much on the means of the family.³³

This provides a quite plausible view as to why there were more elderly men in the workhouse than elderly women. Whilst at first sight it may seem that old men were more likely to be discarded in favour of women, Alderman McDougall of the board of guardians in Manchester who was quoted in the report made it clear that elderly women, whilst spared the workhouse, were taken advantage of.

7.4.3 Death of younger women in the workhouse

The median and modal ages for female deaths in the workhouse were 38 and 30 respectively, compared with 54 and 45 for men. These are significant differences but may have a very straightforward explanation. There were simply more than twice as many young female inmates than males. Nationwide, there were 5,729 men and 13,876 women aged 20-40 in workhouses in 1861 (6,775 men and 14,429 women in 1851). In the Cleobury Mortimer workhouse the difference was more striking. *Table 20*, taken from census data, shows the number of inmates aged 20-40.

Table 21 - Males and females in Cleobury Mortimer workhouse aged 20-40 (census data)

Census year	Males	Females
1841	3	10
1851	3	17
1861	2	9
1871	2	15

An obvious explanation for the higher numbers of females is the workhouse as a place for pregnant single women and, as Longmate adds, women who had been abandoned by their husbands, widows unable to provide for their family and servants out of work.³⁴

³³ *Report of the Royal Commission on the Poor Laws and Relief of Distress*, [Cd. 4499], 1909; *Report from His Majesty's Commissioners for Inquiring into the Administration and Practical Operation of the Poor Laws*, (44), 1834, p.909.

³⁴ Longmate, *The Workhouse: A Social History*, p.156.

From 1813-1871, 163 children were born in the Cleobury Mortimer workhouse to single mothers. There were also 22 married women, some of whom were in the workhouse with their husbands (married women generally avoided the workhouse for lying-in if they could).³⁵ For many young women, finding themselves single and pregnant almost automatically led to the workhouse. For example, the high numbers elicited complaints by the chairman of the guardians in Bradford in 1848:

The workhouse was at the present moment more like a lying-in hospital than a poorhouse, in consequence of so many young women coming in there to lie in, &c. There were so many who sought refuge in the house when they had three months to go before they were confined. He thought a stop ought to be put to this course.³⁶

The higher numbers of younger women would skew the age at death if the number of deaths was even across the age range in the workhouse. However, as we do not know how many were in the workhouse, it is not clear. There were 569 male and 563 female recorded deaths of those who survived childhood in the area. Female deaths under 60 years of age accounted for 45 percent of all female deaths – the same proportion as for male deaths. There was, though, a slightly higher proportion of females aged from 20-40 and a slightly higher proportion of males aged between 40-60, as shown in *Table 21*.

Table 22 - Deaths of those surviving childhood in the Cleobury Mortimer area

Age group	Males as percentage of male total	Females as percentage of female total
10-20	9.41	8.08
20-40	19.89	18.90
40-60	16.52	18.37
60+	54.71	53.98

It appears that, as with the deaths of elderly males, the lower median age of females dying in the workhouse is accounted for simply by the larger number of that group. One

³⁵ Rose, *Massacre of the Innocents: Infanticide in Great Britain 1800-1939*, p.32.

³⁶"Local Intelligence - Bradford Board of Guardians", *Bradford Observer*, November 23rd 1848 Report of the board of guardians' meeting of November 17th. Statement made by Mr Hill, Chairman.

reason that could have been advanced to explain a difference in the death rate would be maternal death. However, despite the large number of workhouse births that were found, only three cases of maternal death in the workhouse were identified.

7.5 Death out of the workhouse

Price wrote about the case of Edward Cooper who died of starvation in the Isle of Wight Workhouse,³⁷ which is sadly similar to that of the case of James Genner in Cleobury Mortimer two years later.³⁸ There are not that many cases of apparent neglect, and little survives for the period 1770 to the early 1830s. In the case of Sarah Warrington, who was deaf and dumb, the inquest jury found that she had died of suffocation – she was found at the side of the road, having left the workhouse, with her mouth full of mud. No blame was to attach to anyone, ruled the coroner, but it was noted that she was ‘much emaciated’.³⁹ Sarah Warrington had two illegitimate children, one of whom, Rosanna, died in the workhouse at the age of eight, just over a year later.

Of the half-dozen or so entries where cause of death is recorded in the burial registers in the late eighteenth century, two are for paupers who were burnt to death.⁴⁰ Being burnt was not uncommon. Ann Jones, mentioned earlier, was apparently well cared for before she died.⁴¹ Hannah Neath, aged 21, died in October 1847 of appalling burns. She had gone into the house of a neighbour for help, all on fire and with her clothes blazing. The inquest found that she was very well cared for but was bound to die of her injuries.⁴²

³⁷ Kim Price, "Where Is the Fault?": The Starvation of Edward Cooper at the Isle of Wight Workhouse in 1877', *Social History of Medicine* 26, no. 1 (2013).

³⁸ Cutting from a newspaper, marked 'Alleged neglect and starvation of a pauper at Cleobury Mortimer', *Hereford Times*, March 22nd 1879 in TNA MH 12/9889 *Correspondence*, .

³⁹ SA PL5/100 *Cleobury Mortimer Poor Law Union, Workhouse Master's Records, Inquest Depositions*, February 23rd 1837.

⁴⁰ SA *Cleobury Mortimer Parish Registers, General Register 1754-1812* P71/A/1/4.

⁴¹ Idem. June 17th 1838; SA PL5/100 *Inquest Depositions*.

⁴² Ibid.

Pauper funerals

If someone died in the workhouse, relatives (if known) would be notified and given the opportunity to claim the body for burial. After 1832, if not claimed within forty-eight hours, the body could be handed over for dissection.⁴³ Described by Richardson as ‘what had for generations been a feared and hated punishment for murder became one for poverty’,⁴⁴ there is no evidence of this happening in Cleobury Mortimer. Few families of paupers in the workhouse could afford the cost of funerals and many outside the workhouse, even if able to support themselves up to the end, would suffer the indignity of their family claiming relief for funeral expenses. The unfortunate inmates dying in the workhouse would have been buried in a pauper funeral, suggested by Crowther as one of the most familiar aspects of hostility to the workhouse.⁴⁵

There are numerous entries in the overseers’ accounts for funeral costs. As well as fees for the burial, the provision of a shroud or a coffin and the cost of carrying the body, entries in the overseers’ accounts from 1770 onwards show expenditure for ale, typically 1s., sometimes 2s. – and, in Elinor Cleeton’s case, as much as 3s. 4d.⁴⁶ At 2d. per pint it is not a huge amount,⁴⁷ unless compared with typical disbursements of the same sum to paupers each week. However, through the 1770s, burial fees and costs appear in the accounts only sporadically, with periods of several months with no entries. The paupers are usually named although, occasionally, there is simply an entry for ‘carrying a Parish Corps to be buried’.⁴⁸ By 1782, even that amount of detail disappears and there is a single entry which says ‘Paid

⁴³ 2 & 3 Will. IV c.75, *An Act for regulating Schools of Anatomy*, 1832.

⁴⁴ Richardson, *Death, Dissection and the Destitute*, p.xv.

⁴⁵ Crowther, *The Workhouse System 1834-1929: The History of an English Social Institution*, p.241.

⁴⁶ SA PL7/1/2 *Overseers’ Accounts* (Elinor Cleeton June 28th 1773).

⁴⁷ The cost of a pint comes from an entry of 6d. for ‘three pints of ale for Jn^o Garbett when he was carrying out y^e dung at the Workhouse’ (ibid. February 26th 1771). Just two months later, the same task cost the overseers 2s. 6d. (ibid. April 22nd 1771).

⁴⁸ Ibid. June 16th 1771.

the Burial fees for Paupers April 26th 1780 to April 6th 1782 - £2 8s. 10d.’⁴⁹ Unfortunately, the accounts cannot be relied upon as the entry does not always describe what the payment was for – Andrew Newall’s widow was ordered to be paid 12s. to defray the costs of his funeral, but this simply appears in the accounts as ‘Paid Wid^w Newall by Order’.⁵⁰

In the new union, funeral costs continue to be paid. Susan Davis was allowed 13s. by the guardians to bury her son, Emmanuel.⁵¹ He is shown as receiving relief prior to his death, being allowed 1s. 6d. ‘until Xmas’ due to illness, in addition to his 1s.⁵² The disbursements appear in the Outdoor Relief book and end with the funeral costs and the word ‘dead’.⁵³ More frequently, an overseer or the relieving officer would agree to payment on the basis of ‘urgent necessity’ and then seek reimbursement himself later.⁵⁴ As with the period of the old poor law, there are fewer requests than might be expected, given that funeral costs are significant items of expenditure. Not everyone was successful. Elizabeth Walker of Neen Savage applied for help for her child’s funeral – a distressing time no doubt – but was refused as it appeared that the husband and part of the family were getting good wages.⁵⁵

Ann Thatcher, aged 22, was buried in Hopton Wafers on February 1st 1842. She was a pauper but her relatives did not apply for a shroud, bearers or fees for a pauper funeral, only for a coffin. The rector, Thomas Woodward, suspected that they were only attempting to get as much as they could from the parish and had secretly done a deal with the undertaker to ‘beautify’ the coffin for the sum of 4/-.⁵⁶ In a few short lines, Woodward evokes an image of scheming, grasping relatives. It is doubtful that this was the case, nor are they likely to have

⁴⁹ SA PL7/1/4 *Overseers’ Accounts* May 4th, 1782.

⁵⁰ Ibid. January 5th 1772; SA P71/C/1/1 *Vestry Minutes 1770-1799*, December 29th 1771.

⁵¹ SA PL5/1, March 20th 1837.

⁵² SA *Application and Report Books* PL5/123.

⁵³ SA PL5/105 *Outdoor Relief Book*.

⁵⁴ For example, 15s. for a coffin, cost of a shroud and fees for a pauper named Watkiss of Aston Botterell in 1837. This and numerous other examples appear in the Application and Report Books (SA PL5/123 – PL5/139 *Relieving Officer’s Records, Application and Report Books*).

⁵⁵ SA PL5/1, November 21st 1836.

⁵⁶ SA PL5/103 Letter from Thomas Woodward (to the clerk to the guardians?), February 4th 1842.

been typical of the elderly mother lampooned by Arthur Morrison as she gleefully planned the funeral of her son, although in her case using the proceeds of an insurance.⁵⁷ There is no trace of an application.

A proper funeral was important to the poor. Although attempts to reduce costs were made, under the old poor law funerals were paid for by the vestry, or at least contributions made, and the payments generally included refreshment for the mourners. When the new poor law was introduced, the average cost of a funeral was £1 15s. 8d., which was actually lower than it had been, even excluding beer which was no longer paid. The guardians decided that this was too high and ordered that shrouds be made in the workhouse, coffins could be of poor-quality wood and there was no need for a name plate. The bearers too had to accept lower wages, and the overall cost was reduced to just over £1.

7.6 Illness and treatment

According to Thomas Wakley, in the great majority of cases when a relieving officer visited a destitute person, 'he found him in a state of disorder, arising, not from any positive disease, but from want of food' and, consequently, it was the duty of the medical officer to order proper nourishment.⁵⁸ People did die of starvation. William Farr, the compiler of abstracts in the Registrar-General's office reported that sixty-three had starved to death in the second half of 1837.⁵⁹ Not a great number, but Farr's point was that these were mainly from inquest verdicts. In his view, hunger destroyed a much greater proportion of people due to the production of diseases of various kinds. This was especially true of consumption, described by Hodgkinson as the disease of malnutrition and overcrowding.⁶⁰ Starvation, however, was

⁵⁷ Arthur Morrison, "On the Stairs", *The National Observer*, December 17th 1892. Published later as part of a collection, *Tales of Mean Streets* (London: Methuen & Co, 1894).

⁵⁸ Thomas Wakley, March 16th 1848, 97 Parl. Deb. (3d ser.) 1848, 655-6.

⁵⁹ *First annual report of the Registrar-General*, p.75.

⁶⁰ Hodgkinson, *The Origins of the National Health Service*, p.56.

tantamount to wrongful death, as anyone in need had a right to relief. And the system was geared to absolve itself should an instance of such death come to light. For example, no-one with any belongings in the form of assets could starve as they would have been in a position to buy food.⁶¹

Although well understood, the concept of ‘medical extras’ had never been formally defined by the Poor Law Commission. It had long been the practice of medical officers to prescribe food and wine to those in ill health – whether genuinely to build up their strength and overcome illness, or to avoid the cost of medicine, or due to a lack of knowledge of what to do, is debatable. However, during the time of the old poor law, the overseers’ accounts are full of entries where meat, oats, sugar, tea, butter, wine, port, beer and, occasionally, brandy are ordered by medical officers. In Aston Botterell in 1789, Robin Adams is attended by Mr Bray, who variously orders a quart of ale, brandy, a 6d. loaf, sugar and a pint of wine.⁶²

Hannah Warrington, from Coreley, who died in 1857, aged about 30, had been found at the roadside; she was known to be epileptic and may have suffered a fit. Warrington probably died of pneumonia, although a medical officer described it as ‘congestion of the lungs and exposure to air’. She had left the workhouse and when found was taken in by a local couple named Lawley, who did their best to help her. The husband applied for relief for her but at the inquest claimed the relieving officer had refused saying he had no business to take her in and should have left her at the roadside – had she died they would have paid for the coffin and burial.⁶³ A hard attitude, seemingly, though besides 5s. in occasional relief, Mrs Lawley managed to get mutton, tea, sugar, oatmeal and bread on Warrington’s behalf and

⁶¹ TNA HO 73/56/50 ‘An Abstract of the circumstances of alleged Deaths from Want occurring in the Year 1840 And the results of the Enquiries relating thereto’ *Home Office PLC Correspondence*, ff.218-262.

⁶² SA P17/1/1/1 *Aston Botterell Parish Records, Overseers’ Accounts (1787-1826)*, April 1789.

⁶³ SA PL5/100 Inquest into the death of Hannah Warrington, October 22nd 1857. .

one of the three doctors who treated her said she was well supported by wine, brandy and every ‘necessary’.

When Susan(nah) Lane died in 1857, there was a great deal of contention as to the cause of death and it was suggested she had died through lack of ‘necessaries’. Her daughter had appeared before the guardians to request regular relief but was refused outright – ‘no out relief while she keeps two daughters of bad character at home. Order into workhouse offered’.⁶⁴ But it was not as harsh as it appeared.

Lane was in a bad way, and although the medical officer did not visit, the relieving officer went at the request of one of the guardians and provided her immediately with brandy and sugar, then on the following day mutton, oatmeal, tea and sugar but not bread or flour at her own request. These were allowed by the board along with a pair of sheets and a resolution that she was to be left under the care of the relieving officer and the medical officer during her illness.⁶⁵ A few days later the relieving officer provided more bread, oatmeal, tea and sugar. He sent an order for the doctor to come, though told the daughter that mutton could not be provided except on the doctor’s say-so. He provided yet another order for the doctor, but to no avail – Susannah Lane died.⁶⁶ Although Lane had been provided with a number of extras, one important extra was missing and William Weaver Jones, former medical officer, complained to the Poor Law Board that she was allowed ‘to rot away and die without a drop of wine, altho Mr Beale [the medical officer] has the wine in his keeping’.⁶⁷

Wine and other drink at parish or union expense was not limited to the sick. As described in Chapter 3, paying for someone at parish expense to nurse a sick pauper was quite common, with many examples to be found in the overseers’ accounts. Nurses such as Mary

⁶⁴ SA PL5/11, October 26th 1857.

⁶⁵ Ibid. November 9th 1857.

⁶⁶ TNA MH 12/9885 Inquest into the death of Susannah Lane, *Correspondence*, November 17th 1857.

⁶⁷ TNA MH 12/9885 William Weaver Jones to the PLB, *Correspondence*, January 9th 1858.

Norgrove were paid and provided with drink – usually one pint per day, presumably beer – as, for example, for nursing Matthew Hopcott.⁶⁸ For almost three months, though, Norgrove had been receiving three pints of beer a day.

There are many references to medicine or medicines throughout the records of the union and the predecessor parish overseers' accounts, but none state what they were. The closest that any come to being specific is a reference to 'a bottle of stuff' being provided to Thomas Peach's wife in Aston Botterell.⁶⁹ Mary Light in Shrewton, Wiltshire, also received a 'bottle of stuff', but neither mention what the 'stuff' was. However, a surviving invoice from a wholesale chemist in London gives an idea of the raw ingredients used in the workhouse pharmacy.⁷⁰

The invoice lists physical items used in the preparation of medicines (bottles, vials, boxes, mortar and pestle) and common ingredients such as olive oil, castor oil and mint oil, but also ingredients such as croton oil (highly toxic but used as a purgative),⁷¹ dill oil (*oleum anithi*, used as a carminative), cod-liver oil (*oleum jecoris aselli*, used to treat rheumatism and gout),⁷² ground linseed (*pulv. lini.*, used to make an emollient drink for chest complaints),⁷³ and cubeb pepper (*piper cubeba*, used to treat cystitis and also gonorrhoea).⁷⁴

⁶⁸ SA P71/L/1/4 *Overseers' Accounts (1774-1795)*, September 6th 1775; Sairey Gamp was the nurse caricatured by Dickens in *Martin Chuzzlewit* (first published as a serial in 1843-44) as incompetent, garrulous and frequently drunk.

⁶⁹ SA P17/L/1/1 *Aston Botterell Parish Records, Overseers' Accounts (1787-1826)*, April-October 1796; Alison Light, *Common People: The History of an English Family* (London: Penguin, 2014), p.78.

⁷⁰ Author's possession, Invoice to the guardians from Gale, Baker, Ward and Oldfield, Bouverie Street, London EC, April 3rd 1849.

⁷¹ Gabriella Harriet Schmelzer and Ameenah Gurib-Fakim, eds., *Medicinal Plants* (Wageningen, Netherlands: Fondation PROTA, 2008) p.214 .

⁷² John Hughes Bennett, *Treatise on the Oleum Jecoris Aselli, or Cod Liver Oil, as a Therapeutic Agent in Certain Forms of Gout, Rheumatism, and Scrofula, with Cases* (London: S. Highley, 1841).

⁷³ Thomas Andrew, *A Cyclopaedia of Domestic Medicine and Surgery* (Glasgow: Blackie & Son, 1842) p.687.

⁷⁴ Sir Peter Wyatt Squire, *Squire's Companion to the Latest Edition of the British Pharmacopoeia* (London: J & A Churchill, 1916) p.538.

Figure 12 - Invoice to the guardians from Gale, Baker, Ward and Oldfield, Bouverie Street, London EC, April 3rd 1849

<p><i>The Board of Guardians London April 3rd 1849</i> <i>of the Chelsea Maternity Union</i> <i>Bought of Gale, Baker, Ward & Oldfield,</i> <i>Bouverie Street, Fleet Street.</i></p>			
✓ 4 ¹² lb Chia	Bl 8 11		5 3
✓ 14 ¹² lb Nicotia	6 11		5 3
✓ 5 ⁰ lb Quotonia	2 1/4		6 10
✓ 2 ⁰ lb Mentha Wip	2 1/4		6 2
✓ 2 ⁰ lb Anethi	2 1/4		2 10
✓ 6 ² lb Securis Anelli	2 2		1 2
✓ 14 ¹² lb Sals Lini	2		1
✓ 1/2 ¹² lb Sals Sulfate	4 6		4
✓ 1 ¹² lb Sals Gum Acacia	4 1/4		14 1
✓ 1/2 ¹² lb Gum Ammon Gutta	3/4		1 8
✓ 1 ¹² lb Caryophyllus Anom	3/4		3 12
✓ 1 ⁰ lb Sals Gum Opio	2 1/8		16 11
✓ 1 ¹² lb Piper Cubeba	1/8		1 6
✓ 3 ¹² lb Potaba Nitras	7		1 9
✓ 1 ⁰ lb Quinine Disulfate	2 1/4		14 2
✓ 2 ⁸ lb Sals Sinapis	6 1/8		14 3
✓ 4 ¹² lb Pink Medicata Sps	6 1/4		11 6
✓ 2 ¹² lb Sals Sublimi	3		1
✓ 2 ⁸ lb Sps Ether Sulfate Co	8 4		10 2
✓ 2 ¹² lb Ammon Surg Carb Cpt	4 1/4		3 4
✓ 1/2 ¹² lb Hyd & Cheta	3/8		1 9
✓ 1/2 ¹² lb Chlorid	5/4		2 8
Not sent * 2 ¹² lb Mucos Nit	2 1/8 3/8		7 2
✓ 2 ⁰ lb Morphia Hydroschlor	2 1/4	1	2 2
✓ 2 ¹² lb Potaba Nitras	4 1/4		9 4
✓ 6 ⁰ lb Sals	2 1/4		6 2
✓ 3 ¹² lb Soda Surg Carb	7		1 9
✓ 9 ¹² lb Soda Carb Essic	2 1		11
✓ 2 ⁸ lb Sps Ammon Co	4 1/4		6 8
✓ 2 ² lb Ether Nit Cpt	2 1/4		6 9
	5	8	2 1/4

The invoice also lists quinine and morphine. An inquest record shows that both opium and hemlock were used as treatments. Thomas Harris died on January 24th 1856 from congestion of the lungs. He had had a cough for several weeks and was provided with two mixtures, one containing hemlock from a two-year-old prescription, and the other containing opium. He took these for over a week and the hemlock stopped the coughing but contributed to his death as what he possibly needed was an expectorant to deal with the build-up of phlegm. The inquest jury found he had requested the prescription himself and died from a ‘visitation of God from natural causes’; the pharmacist, Mr Bridges, was acquitted of all blame,⁷⁵ although the inquest findings were challenged in a later letter to the local newspaper.⁷⁶

Opium was a very commonly used drug and was a likely cause of starvation in infants who were given it to quieten them. An ounce of laudanum cost the same as a pint of beer. Druggists were selling gallons a week and hundreds of gallons a year of various proprietary preparations.⁷⁷ Thomas Pope, who was one of the medical practitioners in Cleobury Mortimer, was a great advocate of the use of, and was convinced of the efficacy of, mercury, whilst aware of its dangers. Mercury as an internal and external agent was worth more than all the other articles of the *materia medica* combined: mercury, he wrote, with ‘air, food, sleep, excretions, exercise and the passions’ would do more good than all of the other articles.

⁷⁸ It was given in the form of blue pills, or ‘blue mass’ – in a typical daily dose that was more than one hundred times the daily limits advised today. Its use was common. Abraham Lincoln was known regularly to take blue pills, possibly for constipation, which at the time

⁷⁵ Inquest report into the death of Thomas Harris (incorrectly reported as Haynes), "Cleobury Mortimer - Inquest", *Berrow's Worcester Journal*, February 9th 1856, p.8.

⁷⁶ "The Late Inquest on Thomas Harries' - Thomas Pope, Letter to the Editor", *Berrow's Worcester Journal*, February 23rd 1856, p.8.

⁷⁷ Anthony S. Wohl, *Endangered Lives: Public Health in Victorian Britain* (London: J.M. Dent, 1983), pp.34-5.

⁷⁸ Thomas Pope, 'Mercury as a Remedy', *British Medical Journal* 1 (1864), p.219.

was thought to be a cause of melancholy.⁷⁹ There were strong disagreements on the subject and Pope was very robust in his dismissal of others' views. Finally, the editor of the *British Medical Journal* declared the correspondence closed, saying that it was hopeless to expect of such combatants that one would be convinced by the other.⁸⁰

Medical knowledge was very limited at the time, so it is hardly surprising that some of the remedies seem somewhat primitive, if not downright dangerous. An outstanding example of this type from the overseers' accounts is the appearance of the word 'gunpowder'. There are several reference to buying gunpowder for the workhouse, but one in the accounts for 1771 suggests a context: 'Paid for gunpowder for Betty Share and Ben Newall for the Itch'.⁸¹ The 'itch' was a common, disfiguring and highly contagious condition which was thought to have been a particular affliction of the 'immoral poor', and may have been scabies.⁸² Literature of the time suggests it be treated with sulphur,⁸³ and it is conceivable that gunpowder may have been more readily available and cheaper than flowers of sulphur.⁸⁴

Besides being deficient in mentioning treatment with medicines and the details of medicines used, the sources reveal very little about the illnesses actually treated and the work of the medical officers. There is some detail to be found in inquest records and the many accusations of medical negligence which were made throughout the nineteenth century, and some of these are covered later in the sections on death in and out of the workhouse.

⁷⁹ Jeremy Manier, "For Lincoln, Ancient Cure Worse Than His Malady", *Chicago Tribune*, July 1, 2001.

⁸⁰ Thomas Pope, 'Action of Mercury on the Liver', *British Medical Journal* 2 (1861), p.566.

⁸¹ SA P71/L//1/4 *Overseers' Accounts (1732-1835)*, 1771.

⁸² Kevin Siena, 'The Moral Biology of 'the Itch' in Eighteenth-Century Britain', in *A Medical History of Skin*, ed. Jonathan Reinartz and Kevin Siena, Studies for the Society for the Social History of Medicine (Oxford: Routledge, 2013), pp.71-84.

⁸³ William Buchan, *Domestic Medicine or, a Treatise on the Prevention and Cure of Diseases*, Eleventh ed. (London, 1790), p.403; gunpowder was long used as a remedy by soldiers and it is interesting to note that its name in Chinese (gunpowder was invented in China) came to be 火药 [pinyin *huǒ yào*] means 'fire medicine'.

⁸⁴ Gunpowder is mentioned as a treatment for itch in New World traditional medicine: Vance Randolph, *Ozark Superstitions*, Dover 1964 ed. (New York: Columbia University Press, 1947), p.109; John K. Crellin, *Home Medicine - the Newfoundland Experience* (Montreal: McGill-Queen's University Press, 1994), p.170.

The district medical books have not survived, but one source, detailed in *Table 22*, gives an insight into the daily workload of one of the medical officers.

Table 23 - Workload of Bernard Beale for one week in 1857⁸⁵

	Name of patient	Residence and distance from surgery (in miles)		Illness
May 2 nd	Helen Clinton	Cleobury Mortimer		Scrofula
	Mary Share	Cleobury Mortimer		Diseased lungs
	Ann Share	Cleobury Mortimer		Hydrosis
	Benjamin Hunt	Cleobury Mortimer	¼	Apoplexy
	Jane Tippin	Neen Savage	1 ½	Hepatitis
	Richard Balding	Cleobury Mortimer		Debility
May 3 rd	Susan Shakenshaft	Rock	6	Constipation
	Susan Cartwright	Rock	6	Variola (<i>smallpox</i>)
	Amelia Dodd	Rock	6	Morbus cerebri (<i>disease of the brain</i>)
	Mary Cartwright	Rock	6	Prolapsis uteri
	Elvia Morris	Neen Sollars	4	Scald
	Jane Tippin	Neen Savage	1 ½	Hepatitis
	Jemima Mole	Cleobury Mortimer	1	Ulcers
May 4 th	Mary Share	Cleobury Mortimer		Diseased lungs
	Ann Share	Cleobury Mortimer		Hydrosis
	Harriet Philpotts	Neen Savage	1 ½	Ovarian disease
	Jane Tippin	Neen Savage	1 ½	Hepatitis
	W Pritchard	Clee Hill	4	Diseased prostate
	Edward Goode	Crumpsbrook Clee Hill	4	Phthisis (<i>tuberculosis</i>)
	George Childe	Farlow	5	Tumour
May 5 th	Jane Preece	Cleobury Mortimer		Inflamed leg
	Mary Share	Cleobury Mortimer		Diseased lungs
	Jane Tippin	Neen Savage	1 ½	Hepatitis
	John Tippin	Neen Savage	1 ½	Pneumonia
On this day, a large number of patients attended the surgery				
May 6 th	Eliza Colley	Cleobury Mortimer		Scrofula
	Mary Share	Cleobury Mortimer		Diseased lung
	Ann Share	Cleobury Mortimer		Hydrosis
	Benjamin Hunt	Cleobury Mortimer	¼	Apoplexy
	Elizabeth Williams	Cleobury Mortimer		Infirmity
	Jane Tippin	Neen Savage	1 ½	Hepatitis
	John Tippin	Neen Savage	1 ½	Pneumonia
May 7 th	Mary Simkiss	Cleobury Mortimer		Phthisis (<i>tuberculosis</i>)
	Elizabeth Williams	Cleobury Mortimer		Infirmity
	John Tippin	Neen Savage	1 ½	Pneumonia
	Drusilla Beddoes	Overwood, Neen Savage	2 ½	Neuralgia
	Drusilla Beddoes	Overwood, Neen Savage	2 ½	Neuralgia [<i>second visit</i>]
	Thomas Deuce	Farlow	4	Hepatitis
	Mary Reynolds	Clee Hill	4	Infirmity
May 8 th	Jane Tippin	Neen Savage	1 ½	Hepatitis
	Sara Walker	Neen Savage	1 ½	Infirmity
	Susan Cartwright	Rock	6	Variola (<i>smallpox</i>)

⁸⁵ TNA MH 12/9884 Return of number of professional visits of medical officer made from 2nd to 8th May (both inclusive) extracted from the district medical book, *Correspondence*, August 6th 1857.

	John Tippin	Neen Savage	1 ½	Pneumonia
	Mary Etheridge	Kinlet	4	Debility
	- her daughter	Kinlet	4	Morbus cordis (heart disease)
	Crump's child	Kinlet	4	
	John Rowley	Highley	8	Asthma
	Elizabeth Page	Highley	8	Variola (<i>smallpox</i>)
	Job Evans	Highley	8	Hydrocele (<i>accumulation of serous fluid around a testicle</i>)
	Esther Lane	Milson	4	<i>No reason given</i>

Not only is the daily workload shown, but the extract gives an idea of the illnesses and diseases being treated. For the medical officer, a major issue in the union was the distance that had to be travelled to see patients. On May 8th, Beale had to go to Neen Savage, Kinlet, Rock and Milson – which in a round trip would mean covering at least 30 miles on horseback, probably taking around five hours at best. This must have been exhausting and left little time for patients. Small wonder there are so many references to medical men being away from home and not returning until late, and to the same officers demurring when asked to visit patients some distance away.

In 1857, the biggest causes of death were tuberculosis and diseases of the respiratory system (33.9 percent of male deaths and 29.7 percent of female deaths).⁸⁶ There are rather less such cases in the medical visits than as might be expected. Smallpox was fairly endemic and there were regular vaccinations. Inoculation was ordered by the vestry – mainly poor families who are mentioned by name in the minutes or in the accounts when the doctor is paid – for example, Thomas Didley, his wife and four children in 1774 at a cost of 40s.⁸⁷ In 1785, a general order was issued by the vestry to inoculate all the people ‘living in the alley behind Benjamin Green and tenants to William Bevan’.

⁸⁶ *Twentieth Annual Report of the Registrar-General of Births, Deaths, and Marriages in England*, [2559], 1859 Session 2 pp,120-1.

⁸⁷ SA P71/C/3/1 *Vestry Minute Books (1799-1921)*, February 17th 1774.

Smallpox was characterized by deadly epidemics, with high death rates, and is estimated to have caused one third of all the blindness in Europe at the end of the eighteenth century. Prior to the discovery of vaccination in 1796, the system of inoculation or variolation brought the death rate down to about 2 percent or less.⁸⁸ It was made illegal in 1840 and, although programs of vaccination were run, vaccination itself was not made compulsory until 1853.⁸⁹ Vaccination was done by the arm-to-arm method although it was not always practical. Deborah Brunton quotes one medical practitioner who stated that in his district, ‘an arm was not be had on any terms’.⁹⁰ In 1862, Edmund Whitcombe, medical officer, used his wife’s arm giving rise to a complaint by Pope that this was contrary to the ‘Instructions for Vaccinators under Contract’.⁹¹ His complaint was ignored by the PLB as he had not given the child’s name, place and date of vaccination.

Many other diseases, which today are well controlled, were endemic in the nineteenth century and it was not uncommon for children and adults to die from them. However, it is perhaps surprising that typhus and cholera were little known. In Cleobury Mortimer, the principal source of drinking water for those without their own pumps was The Wells. This pool arose from a spring that originated under the churchyard, which sat opposite and above The Wells. It was not until 1883 that the restrictions on burials were imposed and 1895 before the churchyard was closed. The Wells continued in use until after the Second World War. Over thirty cases of typhus were recorded in 1840, but only one case of cholera has been found (in 1848) and one death from cholera in 1849.⁹²

⁸⁸ Abba M. Behbehani, 'The Smallpox Story: Life and Death of an Old Disease', *Microbiological Reviews* 47, no. 4 (1983), p.458.

⁸⁹ 3 & 4 Vict. c.29 *An Act to extend the Practice of Vaccination*, 1840; 16 & 17 Vict. c.100 *An Act further to extend and make compulsory the Practice of Vaccination*, 1853.

⁹⁰ Deborah Brunton, *The Politics of Vaccination: Practice and Policy in England, Wales, Ireland, and Scotland, 1800-1874* (Woodbridge, Suffolk: Boydell and Brewer, 2008), p.80.

⁹¹ TNA MH 12/9886 Thomas Pope to the Poor Law Board, *Correspondence*, July 14th 1862.

⁹² *Eighth Annual Report of the Registrar General; Seventeenth Annual Report of the Registrar-General of Births, Deaths, and Marriages, in England*, [2092], 1856.

In April 1856 Lucy Kirkham and her six children all caught measles. Lucy herself was very ill. On the Saturday, her husband obtained an order for the union surgeon to come to see them at Highley, from Cleobury – a distance of some eight miles. The order said they required immediate attention, but Mr Beale, the surgeon, said he could not come straight away, but sent instead some medicine. Beale only came on the fifth day after the husband threatened to send for another surgeon. By the Friday, Lucy was dangerously ill but Beale did not come again until the Saturday evening. She died on Monday.⁹³

Dispensing medicines to the sick without visiting them first was not uncommon. A year after Lucy Kirkham died, an anonymous letter was sent to the Poor Law Board, enclosing a letter from Pope relating a case where the medical officer had supplied medicines for three whole weeks without once having seen the patient.⁹⁴

7.7 Conclusions

There was no consistent pattern to the number of deaths in Cleobury Mortimer. Although the majority of years averaged eleven to fourteen deaths, there were years with only three or four and some as many as twenty-two. The Reverend Moultrie remarked in the burial register that 1817 was ‘noted for the most unparalleled distress of every description & particularly so to the poor’, but that there were only half as many burials as usual.⁹⁵ Infant mortality was higher than the national average and the male to female infant death ratio supported the theory that male infants were more likely to die than females, but the overall number of childhood deaths was much lower than that suggested by contemporary writers such as Finlaison. Even taking

⁹³ TNA MH 12/9885 Deposition of John Kirkham *Correspondence*, April 28th 1856 .

⁹⁴ Ibid. ‘Oppidamus’ to the Poor Law Board, April 29th 1857. Perhaps a mis-spell of *oppidanus* (L.), a townsman.

⁹⁵ SA P71/A/4/1 *Cleobury Mortimer Parish Registers, Burial Register 1813-1873*.

account of known epidemics, such as that of 1778,⁹⁶ there is no great variation in the number of childhood deaths year by year.

At first sight, the number of old men dying in the workhouse compared to deaths in the general population appears shocking, but analysis shows that this number is simply a factor of the great number of men finding themselves in the workhouse in their old age. Similarly, although female deaths in the workhouse show a high number of younger women, this is accounted for by the greater number of young women who spent time there. Unfortunately, the causes of death are not known but there appear to be no great instances of maternal death.

There is considerable evidence of great variation in the standard and provision of medical care. Taking contemporary evidence at face value suggests medical negligence in a number of cases. But close inspection shows that there may very well have been efforts on the part of some to bring an end to the system of medical provision in the union and that the accusations may, in some cases, have been, at best, inaccurate. Details of medical treatment under the old poor law are restricted to brief entries in the overseers' account books, but they are numerous. In addition, there is evidence that medical men were regularly appointed on retainer to treat the poor prior to 1834. Although the treatment may have been rudimentary, this does suggest the notion of a 'welfare state in miniature'. After the introduction of the new poor law, the system in the union parishes lent itself to a great deal of bureaucracy and opportunity for mistreatment of the poor resulting from rivalry between medical officers. Despite this, the fact that medical treatment was available has to be indicative of the existence of a 'welfare state in miniature', at least as far as medical treatment was concerned, after 1834.

⁹⁶ Charles Creighton, 'From the Extinction of the Plague to the Present Time', in *A History of Epidemics in Britain*, ed. David Eversley, Edgar Ashworth Underwood, and Lynda Ovenall (London: F. Cass, 1965), p.710.

8. Conclusions

8.1 Summary of research and conclusions

This summary takes each chapter of the thesis in turn and draws out the conclusions reached. It then offers some general conclusions, before offering suggestions for future research. Overall, the study examines the experience of poverty in the seventeen parishes in south-east Shropshire that later formed the Cleobury Mortimer Poor Law Union, during the period 1770-1870.¹ Rather than look at how the system of poor relief operated, it covers the major themes of employment, illegitimacy, apprenticeships, settlement and migration, education, medical treatment, crime and punishment, outdoor relief and the workhouse by looking individually at four different life stages: childhood; young adulthood; family life – from parenthood into old age; illness and death. It relies on extensive existing records, mainly in the Shropshire Archives and National Archives, from which it has been possible to recreate the voices of those who experienced poverty in the area during the late eighteenth and nineteenth centuries and has aimed to create a total history of the area, at least with respect to poverty. In the introduction, a clear distinction was drawn between the concepts of life stages and life-cycle. The research considered the experience of poverty during four life stages, but that a cycle of poverty for some families existed is quite clear: illegitimate children were born to mothers who were illegitimate and multiple generations of the same family claimed relief. This thesis distinctively looks at poverty in all four life stages in a defined geographic area.

The methodological approach outlined in the introduction, which moved away from the traditional structured systems approach, was vindicated in that a large number – more than

¹ The Cleobury Mortimer Poor Law Union was formed on July 15th 1836 comprising the parishes of Aston Botterell, Cleobury Mortimer, Coreley, Farlow, Highley, Hopton Wafers, Kinlet, Loughton, Milson, Neen Savage, Neen Sollars, Silvington, Stottesdon, Wheathill [all Shropshire], Bayton, Mamble, Rock [Worcestershire] and the extra parochial area of Woodhouse [from 1862].

can be covered in this thesis – of useful case studies was uncovered without the work associated with family reconstitution. The overall study was not a standard top-down examination of data, and avoided the usual histories of poor law unions, which tend to be administrative histories without making any significant contribution to a wider understanding of the impact of the poor law. An extremely rich collection of source material provided potential for a bottom-up rather than top-down approach, enabling interrogation of the material in distinct ways, which proved to be a productive means of generating a greater insight into the experience of poverty and the impact of the poor laws. However, other poor law unions are not necessarily so generously endowed with material.

8.1.1 Introduction

In her thesis, Williams defined ‘poor’ as being in receipt of relief.² In this study an extended concept is used so that anyone whose life crossed the operation of the poor laws was included in the research. It encompassed those who may not have claimed relief but were adversely affected by the laws of settlement, illegitimate children for whom a bastardy bond was sought, orphans looked after by the parish and some in receipt of medical relief from the medical officers paid by the parish or the union. The definition did not include anyone who was supported by family, friends or a benefactor, or who was able to draw on a charity, friendly society or thrift club. There are indications that charities and friendly societies existed in the area, but references are scarce, so it was not possible to draw any conclusions.³

Under the old poor law, those in need of relief were dealt with in a way that maintained their dignity. Whilst some were subject to removal, fathers were pursued for maintenance and there is evidence of whipping of vagrants, the majority – even vagrants –

² Williams, 'Poor Relief, Welfare and Medical Provision in Bedfordshire: The Social, Economic and Demographic Context, C.1770-1834', p.5.

³ For example: Edward Dukes, 89 years of age, resident of Neen Savage, had been a member of the Rock Club but it had broken up and he therefore applied for relief. SA PL5/2, February 12th 1838.

were looked after in what can only be described as a generous, humane and uncomplicated way. Sidney Webb wrote:

... the Poor Law administration throughout the eighteenth century, and particularly in the first quarter of the nineteenth century, as we have described it in this volume, will seem almost incredible in its ineptitude. The callous inhumanity, the brutal demoralisation and the heedless cruelty of the workhouses; ...⁴

Webb's reference was to the old poor law but, while there were examples,⁵ these were not symptomatic of a system-wide 'heedless' cruelty: in the Cleobury Mortimer area, there are no such examples. Long life expectancy in the area added burdens to the rates, but there are examples of individuals receiving relief for decades. There appears to have been a benevolent attitude to unmarried mothers as no examples of removal have been found. But things changed after 1834. Character became an issue, and although there was a tendency for the poor to ask for work and not relief, a remoteness developed in the guardians' attitudes towards the poor and the use of the workhouse prevailed whereas the practice had formerly been very much to keep people in their own homes. The poor law system was part of a society divided in terms of wealth, power and status. It was demonstrably a paternal system but has been shown – at least in part and at times – to be a 'welfare state in miniature'.

8.1.2 Thriving pre-Domesday settlement to 'torpid townlet'

Chapter 2 provides some insight into the history of Cleobury Mortimer and along with the rest of the thesis, throws light on British history. Cleobury Mortimer was less affected by modernising elements in Britain than many other rural areas and despite its proximity to cradles of the Industrial Revolution near Birmingham and the Ironbridge Gorge it escaped

⁴ Webb, *English Poor Law History: Part 1. The Old Poor Law*, p.424.

⁵ Revd. Philip Henvill, *A Brief Statement of Facts: Wherein, Wherein Several Instances of Uparalleled Inhumanity, Opression, Cruelty and Neglect, in the Treatment of the Poor, in the Parish of Damerham South, in the County of Wilts, Are Considered and Exposed* (Egerton, 1796).

both industrialisation and developed transportation, leaving it isolated with limited potential for growth. The thesis also provides insight into the broader history of Cleobury Mortimer by revealing experiences other than poverty. The area was part of Britain but not part of the standard narrative of poverty and the thesis sheds light on real people, in real circumstances, suffering and relating to one another. It throws light on class relations in wider British history, for example, the survival of face-to-face relationships. Social interaction and the use of power are highlighted in an area where the cost of poor relief was exacerbated by the general longevity of the poor. Overall, the isolation of Cleobury Mortimer gives a different insight into the patterning of British history, perhaps being seen as an exemplar of the survival of traditional attitudes.

8.1.3 The provision of relief

Chapter 3, ‘The provision of relief,’ sets out to consider Snell’s claim that, under the old poor law, parishes represented miniature welfare states, and to examine the differences in how relief operated before and after the introduction of the new poor law in 1834. Chapter 3 merits the substantial discussion which follows as it covers the provision of relief across all four life stages.

Centred on Cleobury Mortimer itself, a small historic market town, the parishes that made up the Cleobury Mortimer Union were mostly dispersed, rural, agricultural settlements, with very little in the form of industry or commerce. The parishes were in many ways cut off from the rest of the region by their geography, with no industry to speak of and little investment by local landowners. A sense of the isolation and unimportance of events can be gleaned by looking at newspaper reports for 1836, the year the union was formed. There were but two: the first detailing the court proceedings against three local officials, including the

constable and the vestry clerk, who broke into the workhouse to take occupation and oust the governor,⁶ and another relating the discovery of a large potato.⁷

The isolation of the area helped to strengthen the local nature of the system prior to 1834 where poor relief was provided to meet needs in a simple, matter-of-fact way, but there were clear changes in the way it operated after 1834, with frequent disagreements between farmers and the guardians being dealt with by the PLC and PLB. Although there were many instances of compassion,⁸ the guardians generally were inclined to use the workhouse and were influenced greatly by issues of ‘character’.

Webb went on to write about the ferocity of the punishments still occasionally inflicted on the vagrants.⁹ The mandated punishment for vagrants was indeed ferocious and was often carried out. In Aston Botterell, the accounts record 6s. paid to the ‘whip Beadle’ and 1s. 6d. ‘for the Irons for the whipping post’.¹⁰ But this should be set against regular references to the relief of vagrants.¹¹ And whilst undoubtedly there were instances of cruelty in the workhouses, especially after 1834, these were occasioned by individuals not the system. As Roberts points out, many of the stories in *The Times* were largely false – as witnessed by the reported maltreatment of Mary Anne Winwood in Cleobury Mortimer.¹²

In a rare recorded incident in Cleobury Mortimer, the ‘filthy state’ of the paupers in the workhouse was put down simply to a ‘difference in perception’ between the medical

⁶ "Nisi Prius: Vaughan Vs Newell and Others", *Shrewsbury Chronicle*, April 5th 1836; "Vaughan Vs Newell and Others", *Berrow's Worcester Journal*, August 11th 1836.

⁷ "Discovery of a Potato".

⁸ For examples see ch.3 ‘The provision of relief’, cases of Henry Tudor, p.49, William Price, p.50, Thomas Davies, p.56; ch.4 ‘Life stages: Children and Childhood’, case of Sarah Hopkins, p.108, provision of clothing to children of widows entering service., p.111; ch.6 ‘Life stages: Family life - Parenthood into old Age’, case of Frances Porter, pp.174-5; ch.7 ‘Life stages: Illness and Death’, p.187.

⁹ Webb, *English Poor Law History: Part 1. The Old Poor Law*, p.424.

¹⁰ SA P17/L/1/1 *Aston Botterell Parish Records, Overseers' Accounts*, January 21st, 22nd 1799.

¹¹ For example, SA P130/L/01/2 *Highley Parish Records, Account Book (with Vestry Minutes 1769-1802)*, 1800-1801; P82/L/1/1 *Coreley Parish Records, Overseers' Accounts*, 1800-1801.

¹² Roberts, 'How Cruel Was the Victorian Poor Law?', p.102; See also ch.6 ‘Life stages: Family life - Parenthood into old Age’, fn.25.

officer and the members of the vestry.¹³ Ottaway suggests that, although more expensive, the workhouse was an administrative efficiency which saved the overseers and churchwardens the time and effort of looking after the poor.¹⁴ But the parishes in the study area do not seem to have made extensive use of the workhouse, which may be why, perhaps to cover costs, the Cleobury Mortimer workhouse took in paupers from as far away as Stokesay and Barrow, near Telford.¹⁵

In her study of Kent parishes, Barker-Read rejected Webb's assertions.¹⁶ Digby's research showed that in a single parish, Shipdham in Norfolk, although there was a variety of poor relief methods pre-1834, four-fifths of the expenditure was in the form of outdoor allowances, the majority going to a permanent class of impotent poor.¹⁷ Similarly, the surviving overseers' accounts for the union parishes show that the majority of expenditure was on wide ranging types of out-relief, resulting in the impression almost of an 'open cheque book' in some cases.

The accounts for Cleobury Mortimer make reference to payment for clothing and shoes only occasionally, and rarely to other items. However, it was a good place to be ill. There are frequent references – sometimes for extended periods – to women for nursing paupers. Unlike the other parishes, Cleobury Mortimer had its own workhouse,¹⁸ and the vestry minutes show that the workhouse was used frequently: in June 1770, it housed thirteen men, sixteen women and twenty children. But there is also an underlying pattern of frequent refusal of relief, reduction or cessation of existing relief and even refusal to allow the

¹³ SA P71/C/1/2 *Vestry Minutes*, August 1809, September 1809.

¹⁴ Ottaway, *The Decline of Life: Old Age in Eighteenth-Century England*, p.253.

¹⁵ SA P71/C/1/1 *Vestry Minutes 1770-1799*, passim.

¹⁶ Barker-Read, 'Treatment of the Aged Poor', p.321.

¹⁷ A. Digby, 'The Operation of the Poor Law in the Social and Economic Life of Nineteenth Century Norfolk' (Unpublished PhD thesis, University of East Anglia, 1971), p.51.

¹⁸ There are indications that Farlow had a workhouse, but there are no records to say how big it was, or whether it was more of a poorhouse, used as lodging for families without accommodation.

workhouse.¹⁹ However, these have to be seen against the not infrequent examples of kindness – for example, Mr Diggles, member of the vestry, finding John Jones employment and a house for him, his wife and three children, and Mary Newall being compensated half of her penalty for selling fireworks.²⁰

Things changed after the implementation of the Poor Law Amendment Act. In a short outline of the 1834 Act, Nassau Senior wrote:²¹

The objects of the Poor Law Amendment Act are two.

1st. To raise the labouring classes, that is to say, the bulk of the community, from the idleness, improvidence, and degradation, into which the ill administration of the laws for their relief has thrust them.’

2nd. To immediately arrest the progress and ultimately to diminish the amount of the pressure on the owners of lands and houses.

The continual increase in expenditure across the country under the new system shows that the second objective was not met, and there is nothing to show that in the Cleobury Mortimer Union the first set of aims were achieved. Idleness was not a serious problem in the area. There were of course some who were work-shy, but the impression gained from the records is of a hard-working local population, who worked well into their seventies and in many cases into their eighties to maintain themselves and who often asked for work rather than relief. For those who were unable to find work and needed help, it could easily be argued that the system itself was degrading. Having to appear in person before the guardians to plead for relief, rather than a quiet word with an overseer who probably knew you personally, was at least undignified and possibly humiliating, especially if character was called into question. The workhouse, which was used more as a last resort under the old poor law, was an easy option and at times the guardians appear to have been callous in their use of

¹⁹ At one meeting twenty-one people had their pay stopped or reduced. SA P71/C/1/2 *Select Vestry Minute Book 1795, 1809-1843*, May 26th 1819.

²⁰ Idem. February 2nd 1820; Idem. January 20th 1821.

²¹ Nassau William Senior, *Outline of the Poor Law Amendment Act* (London: Fellowes, 1834), p.1.

it. However, there are cases of genuine compassion and kindness on the part of individual guardians,²² to be set against what may be examples of ‘groupthink’ and not themselves necessarily intentionally cruel decisions.²³ The operation of the system and the use of the workhouse could not be said to contribute to a person’s overall well-being and the union itself could not be classified as a ‘welfare state in miniature’.

One thing, mentioned in passing earlier, was the efficiency with which the guardians dispensed decisions. That sense of efficiency is worth drawing out as it is quite striking how efficient in many ways the whole system was under the new poor law. The guardians were constrained by a set of laws and rules, which allowed them to do a limited number of things but where everything else had to be referred to Whitehall. The records are replete with instances where a letter was written on a Tuesday (for example) with no reference other than the name of the union, received in London on the Wednesday, dealt with by an official and referred for a second and sometimes third view, before being written up in a reply which was received on the Thursday. Compared with the apparently inept systems in operation today, outsourced to commercial organisations with large numbers of staff and computer resources, it must be asked: what has gone wrong?

8.1.4 Life stages: Children and childhood

Chapter 4 considers the incidence and impact of illegitimacy. The official rate for illegitimate births in the Cleobury Mortimer registration district in 1845 was 11.0 percent, slightly higher than the Shropshire average. This was a considerable increase over that suggested by analysis of the parish registers, which show around 6.0 percent in the period 1770-1812. Infant

²² See fn.8.

²³ Irving L. Janis, 'Groupthink', *Psychology Today* 5, no. 6 (1971). Janis defined groupthink as ‘a mode of thinking that people engage in when they are deeply involved in a cohesive in-group, when the members’ strivings for unanimity override their motivation to realistically appraise alternative courses of action.’ - *Victims of Groupthink* (Boston: Houghton Mifflin Company, 1972), p.9.

mortality was slightly higher than the national average, although child mortality overall seems to have been lower.

For those who survived, being caught in poverty during the first life-stage, childhood, was not a good start to life. Vestries made strenuous efforts to seek out fathers, compelling mothers to name the father,²⁴ and spent considerable sums tracing them. For the illegitimate, although there was little stigma, after 1834 they were prone to finding themselves in the workhouse along with their mothers in stark contrast to the practice under the old poor law of making weekly payments for a child's upkeep. Orphan children ended up in the workhouse but so did children of parents who had deserted them – a not uncommon fate. There are many instances, however, of children being sent to live with (presumably) a relative, or perhaps a nineteenth-century equivalent of a foster parent, at union expense. Children were expensive to keep, and parishes sent them out as apprentices whenever they could. For the majority, apprenticeship meant housewifery or husbandry – rarely to learn a trade. It does appear that the vestries took the process seriously and enquired into the character of apprentice masters – there is only one recorded example of maltreatment.

Chapter 4 also considers the working of the settlement laws as applied to children – especially deserted children, orphans and bastards. Used regularly, these were probably the biggest burden for poor children, leading to children as young as seven to nine being forcibly removed. However, although pregnant mothers were regularly subject to removal orders, it was very rare to see one for a single mother, even if the child was illegitimate. Children seemed to develop a strong affinity with the place where they lived and there are many examples of children making their way back to a parish from which they had been removed. They also ran away from the workhouse and were prone to being prosecuted for stealing

²⁴ For example, Susannah Taylor: SA P71/C/1/2 *Select Vestry Minute Book 1795, 1809-1843*, October 23rd 1833.

workhouse clothes. Children committed few other crimes, but they tended to be more enterprising than driven by deprivation.

In 1849, over 70 percent of the children in the workhouse were illegitimate. The absence of any children's voice in the records makes it difficult to assess exactly what life was like for them. There are no records of maltreatment and the dietary was, perhaps surprisingly, nutritious. The one area where children benefited from the system was education. Despite the resistance of farmers, as ratepayers, children of the poor were provided with rudimentary education. Though much of it consisted of practical skills in needlework and garden work, they were taught reading and arithmetic. In the Cleobury Mortimer Union, they were also taught to write, a skill that may not have been taught in every workhouse. For the lucky few, the guardians paid for attendance at the industrial school at Quatt, which had an enviable record of pupils going on to respectable employment or being 'married in good circumstances'.

8.1.5 Life stages: Young adulthood

Chapter 5 sets out to answer the question of how extensively the laws relating to bastardy and the settlement laws were applied to young adults. It is clear that they were disproportionately affected – and disadvantaged – by the widespread application of the laws relating to bastardy and settlement. Lower-class young women were vulnerable to being taken advantage of and becoming pregnant, losing their job and accommodation. Although they were not sent to prison in the same way as in other counties, and single mothers of illegitimate children were not removed, there was a hardening of official attitudes towards them after 1834. Prior to the changes in the law, tolerance was the norm: mothers and children were provided with out-relief, often for long periods.

For all young adults without a right of settlement, especially if out of work but often (prior to 1795) simply by being a ‘stranger’, the risk of removal was high. There were numerous instances of multiple removal of single young people, who had their settlement rights questioned when they were out of work. Removal was a major risk to a young female adult who found herself pregnant. In Cleobury Mortimer, although one-fifth of all surviving removal orders in the first part of the nineteenth century were for pregnant single women, only three were for removal out of the area.

Although the evidence is circumstantial, there is some support for the idea that crime by young adults was driven by deprivation, though there is little concrete evidence that the poor were responsible for much crime. Often, those young adults were part of a family group involved in a joint enterprise and, despite the harsh penalties, were repeat offenders.

8.1.6 Life stages: Family life into old age

Chapter 6 reveals that the family bore the brunt of the impact of poverty. The local area was largely agricultural and much of the labour opportunity was seasonal. Loss of employment, illness and family break-up all had significant adverse impact on family life. Under the old poor law, many families received occasional relief and, in some cases, regular weekly pay. Food and drink were quite commonly offered to support a family member who was ill and most parishes, though not so much Cleobury Mortimer itself, frequently provided clothes and shoes.

Snell and Jütte both state how family break-up was a major factor in family poverty. In the union parishes, desertion was not uncommon – by mothers as well as fathers, although in some cases it was only temporary as a parent went off in search of work. However, families were also broken up by the system when children were taken into the workhouse – in some cases not all the children, such as the questionable decision refusing to allow Rachel

Saunders shoes unless she sent her grandson into the workhouse.²⁵ Nevertheless, whilst collectively harsh, members of the vestry and guardians, as individuals, made efforts to find work, and sometimes accommodation for those seeking relief.

There is no evidence that single mothers with children were removed from Cleobury Mortimer, although many were returned. However, two-parent families were subject to removal. In a number of cases, this happened more than once to the same family, who may well have defied orders or returned to their preferred place.

The workhouse was a forbidding prospect and it is difficult to imagine the despair which must have been felt by a couple with young children approaching the entrance where the first step was being separated. Nevertheless, despite a suggestion that some families in 1852 were using the workhouse as an hotel,²⁶ there are few records of whole families entering the workhouse – poverty due to illness seems to have been dealt with by out-relief and medical treatment and many of those out of work were helped to find employment. Families went into and out of poverty and suffered extremes and generational poverty was a real issue.

8.1.7 Life stages: Old age, illness and death

To complete the picture, Chapter 8 looks at illness and death among the poor. People lived longer in Cleobury Mortimer – substantially longer than the national average. For some, that was a disadvantage: though only one-tenth of females over the age of 60 died in the workhouse, for males it was one-quarter as opposed to the national average of 7.5 percent of all deaths. Elderly women seem to have been able to avoid the workhouse, perhaps because they were more useful to their families and neighbours than elderly men. In the last twenty years of the eighteenth century, in several years an average of over 20 percent of the local

²⁵ SA P71/C/1/2 *Select Vestry Minute Book 1795, 1809-1843*, August 1st 1821.

²⁶ See ch. 6 fn.74.

population died in the workhouse, with a peak of more in 1793 when more than 50 percent of those who died, did so in the workhouse or were otherwise described as poor. Death of course was visited on the young too, with 20 percent mortality in the age range 20-40. The median age of females dying in the workhouse was much lower than that of males, but only because there was a higher number of younger females and a much greater proportion of elderly males.

Illness, injury, disease and poor nutrition took their toll along with old age. There was a great variation in the standard and provision of medical care, but under both old and new regimes, the medical men seem to have been free to order whatever ‘necessaries’ and ‘extras’ they saw fit. Under the new poor law, the poor first had to obtain an order from the relieving officer and that produced many difficulties, leading in some cases to death.

One surprising finding was the number of cases of alleged medical negligence – against a handful of medical men over a large number of years. Medical treatment in case of illness or injury was available to the poor under the old poor law and payment to medical men, either case by case or on retention, appears throughout the overseers’ accounts, as does frequent mention of payments to women for nursing patients, some of whom made a tidy sum. The new poor law established medical districts, appointments to which caused disagreements and disputes, and there is a sharp escalation of negligence accusations after 1834.

8.2 General conclusion

The study also set out to test whether rural parishes under the old poor law were ‘welfare states in miniature’, as described by Snell. The evidence is clear. There is no doubt that there was hardship in the area, but under the old poor law there are definite indications that the hardship was minimised by the parish authorities – and intentionally so. At the same time,

they were at pains to avoid cost where they could by removing those who had no settlement right, pursuing absent fathers and, at times, dealing harshly with vagrants. The system gave every sign of parishes being ‘welfare states in miniature’. Those parishes for which overseers’ accounts and vestry records remain seem to have provided relief in a way that was more than ‘generous, flexible and humane’ and for much longer than the period suggested by Snell.²⁷ However, Snell referred to policy. It is not possible to tell whether the parishes adopted a pro-active, generous, policy towards their poor or whether it was simply the way that individuals operated it – and, importantly, to which ratepayers did not object.

This study adds to the historiography of the poor laws in two ways. Firstly, it illuminates the experience of poverty in the Cleobury Mortimer Union parishes in the much under-researched county of Shropshire and secondly, it demonstrates how isolated rural communities looked after their poor. Overall, there was a strong willingness to treat the poor with respect under the old poor law, although it is clear that approaches changed once the new poor law came into effect. It also provides support for the findings of a number of other researchers such as Steven King and Snell (though some of his findings are revised), whilst questioning some of the findings of other authors, such as Boulton, Davenport and Schwarz, Henriques, Landau, Longmate, Marshall, Ottaway and Sidney Webb.

Four landowners who did not put much into the development of the area owned the majority of the land in the union parishes. One was an absent landlord, but the others took a paternal interest in the local population, with a benevolent concern for the poor. The study highlighted the class differences and power relationships between the landed class and the farmers and professionals, whose attitude towards the poor was very different.

²⁷ Snell, *Annals of the Labouring Poor*, p.107.

The findings in this study throw light on class relations in a set of isolated rural communities before and after 1834, where the importance of paternal face-to-face relationships, on the part of landowners especially, survived the introduction of the new poor law regime. Significant landowners were caring and benevolent, directly providing work for those in need of relief, and solicitous in their enquiries about individuals. It shows the role of farmers in the application of both the old and new poor laws and the influence they had, whilst also highlighting the impact of the rise of the professional class in the early nineteenth century – such as doctors and solicitors – which was a significant factor in the operation of the system. Contrary to the view of Mandler, for example, the clergy do not appear in a good light, and were often the instigators of refusal of relief.²⁸

Cleobury Mortimer and the rural communities that surrounded it were not just isolated from the rest of the country in the eighteenth and nineteenth centuries, but from each other. Each locality had its own way of operating, probably with its own set of views and values. The artificial creation of the union produced a way of operating that would have been alien to the vestries and the poor were, as a result, less fortunate. That sense of isolation continues today, with the communities almost wholly devoid of services and transport links, partially reliant on Cleobury Mortimer, but without any binding ties.

8.3 Suggestions for future research

This study enjoyed a major advantage in the wealth of original sources that were available. With more time, it would have been possible to analyse the surviving overseers' accounts in different ways to establish general patterns of how relief was given, trends in the provision of relief over decades, and similarities or differences between parishes. However, in order to have a manageable thesis detailed statistical analysis was not conducted to draw

²⁸ See ch.2 fn. 60.

out specific examples of how people fared when faced with the poor law system. It is not possible therefore to tease out any clear generalisations. In building a picture of how individuals fared, there is an element of subjectivity, not least of which is the selection of individuals for more detailed research to produce case studies. The more interesting life stories – those with combinations of indoor and outdoor relief, settlement removals, medical treatment and generational poverty, for example – were identified and investigated fully. Whilst it is possible that other historians could look at the records in different ways and come up with a different emphasis, they would likely arrive at the same conclusions.

The approach taken provides a useful model for exploring the impact of the poor laws in a defined area and an option for further research. There are advantages in doing comparative studies. Research, for example, by E. G. Thomas in Berkshire, Essex and Oxfordshire, found similarities in the provision of out-relief to that in the Cleobury Mortimer area, but no examples of building houses, although Edward Newbold found examples of house purchase and building.²⁹ It would be an illuminating exercise to carry out a similar study for the parishes of one of the neighbouring unions, for example, the Bridgnorth or Ludlow unions, or other rural unions or groups of parishes elsewhere of a similar size and dispersal pattern. This would investigate how far what has been found in Cleobury Mortimer was borne out elsewhere.³⁰

²⁹ Thomas, 'The Treatment of Poverty in Berkshire, Essex and Oxfordshire 1723-1834'; Edward Newbold, 'The Geography of Poor Relief Expenditure in Late Eighteenth and Early Nineteenth Century Rural Oxfordshire' (Unpublished PhD thesis, University of Oxford, 1995), p.227.

³⁰ Bridgnorth consisted of Acton Round, Alveley, Astley Abbots, Aston Eyre, Billingsley, Burwarton, Chelmarsh, Chetton, Claverley, Cleobury North, Deuxhill, Ditton Priors, Eardington, Glazeley, Middleton Scriven, Monkhopton, Morville, Neenton, Oldbury, Quatford, Quatt, Romsley, Sidbury, St Leonard Bridgnorth, St Mary Magdalene Bridgnorth, Stanton Long, Tasley, Upton Cressett, Worfield. Ludlow consisted of Abdon, Ashford Bowdler, Ashford Carbonell, Bitterly, Bromfield, Caynham, Clee St Margaret, Cold Weston, Culmington, Diddlebury, East Hamlet, Halford, Heath, Holdgate, Hope Baggot, Hopton Cangeford, Leintwardine North (Shropshire portion), Ludford (Shropshire portion), Ludlow Castle, Munslow, Onibury, Richard's Castle (Shropshire portion), St Lawrence Ludlow, Stanton Lacy, Stoke St Milborough, Stokesay, Tugford (all Shropshire), Aston, Burrington, Downton, Elton, Leinthall Starkes, Leintwardine North (Herefordshire portion), Ludford (Herefordshire portion), Richard's Castle (Herefordshire portion), Wigmore

The incidence and details of some of the allegations of negligence are shocking. There is a suggestion that the continuing disputes between medical men over how officers were appointed may have been occasioned by these accusations, but also that some of these disputes contributed to the problems of medical provision. Tomkins has written recently about negligence and incompetence,³¹ but there is much scope for research into how medical officers were appointed and how negligence accusations were dealt with, especially under the old poor law and the early decades of the new poor law not actually covered by Price.³²

Of necessity, this study has not made a systematic analysis of the overseers' accounts which are rich in detail, but which need careful scrutiny to show just how – in reality – the old poor law operated in the seven parishes for which records survive. A project to extract the data from the accounts and then analyse them would shed light on how relief operated for individuals and establish similarities and differences between parishes.

The guardians' minutes for the Cleobury Mortimer Union are extensive, covering the complete period from its formation in 1836 until it was abolished in 1930, although detailed entries regarding individuals were made only until 1861. They provide a rich source of detail into how the new poor law operated – especially if read in tandem with the records of the Poor Law Commission and the Poor Law Board which run until 1900 and also the letter books, but these only exist from 1836-1848. It would be possible to determine how individuals were treated, when character was taken into account, the influence of *ex officio* guardians, the extent to which out-relief continued to be provided and how often the guardians

(Herefordshire). Although the records are extensive, they do not cover the long period of 100 years in the same way as those for Cleobury Mortimer, particularly the old poor law period.

³¹ Alannah Tomkins, *Medical Misadventure in an Age of Professionalisation, 1780-1890* (Manchester: Manchester University Press, 2017) – esp. ch.3 'Accident or on purpose? Neglect, incompetence, and unintentional killing'.

³² Price, *Medical Negligence in Victorian Britain: The Crisis of Care under the English Poor Law, c.1834-1900* which only covers negligence from the 1860s.

acted against the rules. It would also be possible to build a fairly complete picture of the new poor law system in operation in this one union.

Cleobury Mortimer seems to have had a fair share of intrigue. Several masters of the workhouse were dismissed, there were regular disputes between different factions of the guardians leading to dramatic resignations, the long-serving clerk to the guardians was suspected of fraud, relieving officers were sacked, the medical officers were constantly making accusations against each other. At the centre, for sixty years, was Thomas Pope, local surgeon, who almost merited a dedicated clerk in Whitehall to respond to his many complaints.

Further research into these different episodes and a more detailed examination of the social connections of the area would provide insights into how a small, self-contained community lived. Completion of the prosopography – a significant undertaking – would assist in the first two exercises. Meanwhile, further research in the form of a close study of people's lives and interactions could add significantly to rural history and an understanding of stages of life and class interactions.

8.4 A final word

Geographically, the area is mostly gently rolling hills, fields, narrow lanes and hedgerows and despite the concept of poverty, it is difficult not to extend the bucolic image to the poor themselves, being greeted by the overseer and after discussing their needs, some form of relief being freely provided. The idea of old 'Tom' sitting in his smock on a tree stump, smoking his locally made clay pipe in the sunshine greeting passers-by creates a strong impression. As does his conversation with the overseer who, on asking 'How are you today, Tom?', receives the response 'Can't grumble too much, legs are a bit painful, but could do with some tea and

sugar. And my shoes are quite worn'. To which the overseer replies, 'No problem, Tom – I'll bring some tea and sugar round tomorrow and sort out a pair of shoes for you'.

For at least sixty-odd years, from 1770, this was probably a typical picture in the area, until the formalities, insensitivities and cruelties of the new system after 1834.

Appendices

A – Timeline of primary source material

	1770	1780	1790	1800	1810	1820	1830	1840	1850	1860	1870	1880	1890	1900	
Aston Botterell		Overseers' accounts 1787-1837			1810	1820	1830	1840	1850	1860	1870	1880	1890	1900	
Cleobury Mortimer	Apprenticeship indentures (153#) 1772-1828														
	Bastardy documentation (70#) 1770-1838														
	Overseers' accounts 1770-1821														
					Assessments for poor relief (1815-1882)										
								Rate books (1843-1886)							
	Settlement records (263#) (1770-1833)														
	Vestry minutes (1770-1834)														
Coreley				Overseers' accounts & Vestry minutes (1797-1826)											
Highley	Overseers' accounts & Vestry minutes (1769-1802)														
Hopton Wafers				Overseers' accounts & Vestry minutes (1816-1838)											
Kinlet															
Loughton Milson															
Neen Savage	Account books (1770-1837)														
Neen Sollars											Rate books (1870-1900)				
Poor Law Commission							Correspondence - APLC (1835 1846)								
								Correspondence with Cleobury Mortimer PLU (1843-1900)							
Poor Law Union								General ledger (1836-1900)							
								Apprenticeship papers (1828-1873)							
							Correspondence books (1836-1839)								
Poor Law Union								Miscellaneous papers (83#) (1836-1881)							
								Guardians' minutes (1836-1900)							
								Application and report books (1837-1841)							
								Outdoor relief books (1837- 1841, 1849)							
								Settlement examinations							
								Inquest depositions (4#)							
Registrar General								Census returns							
Stottesdon															
Wheathill		Overseers' account books (1786-1837)													
											Rate books (1874-1880)				
Bayton															
Mamble										Poor rate books (1862-1884)					
Rock	Vestry meeting minutes (1767-1825)														
	1764-1774	Overseers' accounts		1804-1835											

B – The primary source sets

1 Overseers' accounts

Table 24 - Source set 1: Parish records - Overseers' accounts

Parish	Dates	Pages
Aston Botterell	1787 – 1837	234 pp
Cleobury Mortimer	1770 – 1821	1096 pp
Coreley	1797 – 1826	374 pp
Highley	1769 – 1802	146 pp
Hopton Wafers	1816 – 1838	282 pp
Neen Savage	1770 – 1837	476 pp
Wheathill	1786 – 1837	c150 pp
Rock	1770-1774, 1804-1835	

Type: structured / semi-structured

Period: Old poor law

Research approach

- 1 Samples were taken by capturing all the information for defined periods of time. For example, a few years at the start of the period to establish a baseline then additional samples, say, at times of poor harvests and scanty crops (eg 1789, 1790, 1792, 1795, 1800-1802) and the post-Napoleonic war slump. The data was used to:
 - a. produce a straight quantitative analysis of types of relief and amounts
 - b. investigate differences based on age, gender, marital status, family status etc
 - c. identify (where possible) longer-term relief and payment of pensions
- 2 On pages where descriptors were used these records were transcribed and coded to produce both a quantitative and a qualitative analysis.

2 Vestry minutes

Table 25 - Source set 2: Parish records - vestry minutes

Parish	Dates	Pages
Cleobury Mortimer	1770 – 1834	518 pp
Highley	1783 – 1802	a few pages
Hopton Wafers	1816 – 1838	mostly administrative detail only
Rock	1767 – 1825	

Type: structured

Period: Old poor law

Research approach

- 1 Working through the minutes, entries related to relief applications and decisions were extracted with names and relief amounts.
- 2 The data was used to:
 - a. produce a straight quantitative analysis of types of relief and amounts
 - b. investigate differences based on age, gender, marital status, family status etc
 - c. identify (where possible) longer-term relief and payment of pensions
- 3 Name data helped to build a picture of individuals and families who required repeated or long-term relief.

3 Settlement examinations and removal orders, bastardy bonds, apprenticeship indentures

Table 26 - Surviving settlement examinations and orders

Parish	Total items	PERIOD 1770-1831 ONLY		
		Certificates	Examinations	Orders
Cleobury Mortimer	431	1	95 36.4 percent	165 63.2 percent
Aston Botterell	4			
Mamble	74		29 58 percent	21 42 percent

Table 27 - Source set 3a: Parish records - Bastardy, settlement, apprenticeship

Parish	Dates	Pages
Aston Botterell	1709 – 1801 (not yet split)	21 apprenticeship indentures
Aston Botterell	1693 – 1813 (not yet split)	10 bastardy bonds and affiliation orders
Aston Botterell	1708 – 1800 (not yet split)	10 settlement certificates, examinations and removal orders
Cleobury Mortimer	1772 – 1828	167 apprenticeship indentures ¹
Cleobury Mortimer	1770 – 1838	70 bastardy bonds and 2 examinations
Cleobury Mortimer	1770 – 1833	263 settlement examinations and 93 removal orders

Table 28 - Source set 3b: Poor Law Union - settlement and apprenticeship

Poor Law Union	1828 – 1873	apprenticeship papers
Poor Law Union	1839 – 1845	orders of removal and settlement opinion

*Type: individual unstructured
Period: Old poor law and Poor Law Union*

¹ From 1691-1770, there are 89 items.

² There are 54 additional items from 1685-1770 .

Research approach

1. Name data was extracted, and other data coded to build a database.
2. These were cross-referenced with other data such as parish records (old poor law period) and census information (poor law union period)

4 Relieving officers' records

Table 29 - Source set 4: Poor Law Union - Relieving officer's records

Parish	Dates	Pages
Application and report books	1837 – 1841	617 pp
Outdoor relief books	1837 – 1841, 1849	603 pp
Diaries of relieving officer		7 weekly diaries

Type: semi-structured
Period: Poor Law Union

Research approaches

1. The application books gave the opportunity to build a very detailed picture of relief applications and decisions for the first few years of the Union. Name, age, status and family relationship data were extracted along with the reason for relief and the decisions.
2. Where of interest, information in the application books was cross-referenced with that in the minutes.
3. There was nothing in the outdoor relief books to show that one pauper was different from another, other than age and residence if not in the parish, unless specifically cross-referenced with the application books. Sampling the information allowed a picture to be built of the amounts and durations of relief to be analysed by (inferred) gender, age and residence.

5 Guardians' minutes

Table 30 - Source set 5: Poor Law Union- Guardians' minutes

	Dates	Pages
Guardians' Minute Books A – N	1837 - 1863	6586 pp
Guardians' Minute Book O	1863 – 1868 (extracted pages only)	204 pp
Guardians' Minute Book P	1868 - 1870 (extracted pages only)	

Type: unstructured
Period: Poor Law Union

Research approaches

1. Information in the application books and outdoor relief books for 1837-1841 was cross-referenced with the minutes for the same years

2. Individual data – names, family relationships, ages, status etc where given were extracted and the other information coded to create a database. Using this information with the dates of entry in the minutes, information was analysed:
 - a. to see if patterns changed over time;
 - b. to provide data in various categories
3. ‘Out of the ordinary’ minutes were used to select cases for further study and research outwards

6 Correspondence and miscellaneous papers

Table 31 - Source set 6a: Poor Law Union - correspondence and miscellaneous papers

	Dates	Pages
Letter Books	1836 – 1848	965 pp
Letters and miscellaneous papers	1836 – 1854	381 pp
Papers connected with the Guardians	1836 -	82 items

Table 32 - Source set 6b: Poor Law Commission (1834-1847) and Poor Law Board (1847-) - Correspondence

Correspondence	1836 – 1870	3038 pp
Asst Commissioner Day correspondence	1835 – 1846	212 pp

*Type: unstructured
Period: Poor Law Union*

7 General ledgers

Table 33 - Source set 7: Poor Law Union - General ledger

	Dates	Pages
General Ledger	1836 – 1870	15 books

*Type: structured
Period: Poor Law Union*

The general ledgers for the period were recorded in 15 weighty tomes. They did not, or should not, contain any individual pauper information and although they showed the amounts disbursed by the relieving officers, there was no guarantee that those total amounts were made up solely of relief to paupers. Whilst there may have been benefit in scanning through the pages, looking for unusual items and recording those, this could only have been done with a view to additional research and was outside the scope of this study.

8 Rate books

Table 34 - Source set 8: Cleobury Mortimer and Mable parishes - Rate books

Parish	Dates	Pages
Cleobury Mortimer – assessments for poor relief	1815 – 1834	2 books
Cleobury Mortimer – Rate Books	1843 – 1870	39 books
Mable – Rate Books	1862 – 1870	

Type: semi-structured

Period: Old poor law and Poor Law Union

The rate books fell outside the scope of this study.

9 Census records

Table 35 - Source set 9 - Census records

	Dates	Pages
Census records	1841 – 1871	28000 records

Type: structured

Period: Poor Law Union

These were a very useful source of information regarding paupers after 1834 (from 1841 onwards). However, the generally available census records on various websites have been poorly transcribed with many obvious errors. The transcriptions are also inconsistent, with different data transcribed for different years. A complete set of records which had been re-transcribed from the original sources was made available from which a searchable database was built.³ The census data was used to build a simple overview of population statistics, migration patterns and occupations in the period from 1841-1871, as well as cross-referencing individuals.

10 Parish registers

As with the census information, commercially available transcriptions are riddled with errors.

However they were very useful of researching, before referring to images of the originals.

Table 36 - Source set 10: Parish registers

Parish	Dates	
All Union parishes in Shropshire	1770 – 1815 (or 1820 in some	Transcriptions by the Shropshire

³ This was done as part of an ongoing project by the Cleobury Mortimer and District History Society.

	cases)	Parish Register Society
Cleobury Mortimer only	1815 – 1837	Transcribed by the Cleobury Mortimer and District History Society
All Union parishes in Shropshire	1837 -	Images only – not transcribed

Type: semi-structured
Period: Old poor law and Poor Law Union

C Geography and early history

1 Background

A former market town, with very early origins, Cleobury Mortimer nestles in the lee of the Clee Hills, in the south-east corner of Shropshire. It is as far from the county town of Shrewsbury as one can get, without straying into Worcestershire. It is slightly closer to Worcester than to Shrewsbury, Hereford and the modern city of Birmingham, all of which lie some 40 kilometres distant, as the crow flies. It has a feeling of ‘other-worldly’ remoteness and a sense of being unchanged for some time. All the other villages in the union existed as – and are still – hamlets from Domesday, throughout the period covered to the present day, with the exception of Highley. All have churches dating back to at least the twelfth century. In many ways, Cleobury Mortimer – whose main street is dominated by the church of St Mary the Virgin with its twisted spire – is little changed from the early nineteenth century. It still spreads out around one long main street, where most of the buildings are from the eighteenth century and there is still clear evidence of medieval burgage plots. Although the population today is much greater than it was two hundred years ago, during the nineteenth century the numbers inhabiting it and the surrounding area barely increased, although there is evidence (discussed later) of high levels of migration.

The surrounding area is very rural. Industry today is scarce, though there was a fair amount of small industry during the eighteenth and early nineteenth centuries. Such as it was, that industry largely was ignored in other writings:⁴ however, although industry was not significant generally, in the context of the area it was. Kenneth Goodman points out that little

⁴ Barrie Stuart Trinder, *The Industrial Revolution in Shropshire* (Chichester: Phillimore, 2000). In his preface, Trinder states at the outset that his work is concerned with the east Shropshire coalfield and adds: ‘No attempt is made to examine industrial developments elsewhere in the county’.

has been written about the area in the histories of Shropshire,⁵ and his thesis is one of less than a handful that touch upon the area. Hulbert's prediction of forthcoming development did not come about,⁶ and an understanding of the area would not be complete without some consideration of why it developed, or did not develop, in the way that it did. To do that, it is first necessary to look at the background of the area in a little more detail and to consider what factors in the development, or non-development, of the area and its social and economic life were at play in the operation of the poor laws and the attitude towards and maintenance of the poor.

2 Geography

Cleobury Mortimer sits between the Clee Hills (to the west) and the Wyre Forest, at about 110 metres above sea level, rising to about 170 metres to the west of the town at Hopton Wafers, 180m up to 218m at Aston Botterell and Silvington and 213m at Bayton in the south. The surrounding land mostly slopes in one direction or another; some of the slopes are quite steep. Cleobury itself is in a small steep-sided valley sloping to the northwest, drained by the Pudding Brook which flows through the town and joins the river Rea (formerly known as the Neen) which runs to the east.

The hinterland, up to Aston Botterell and south to Bayton and Mable, is agricultural – with small amounts of common land and wooded areas. The area was extensively wooded up until the Middle Ages but the trees are long gone. Seen from the air today, the area is a patchwork of small fields, many of which – judging by their field names – are quite ancient, and is riddled with footpaths. The underlying geology is Old Red Sandstone of the Devonian

⁵ Goodman, 'Hammerman's Hill'.

⁶ See footnote 3.

period, overlain by a typically clayey soil – described by Plymley as ‘chiefly mixt soil upon clay, and part thin’.⁷

Hulbert summarised it very well when he described it as ‘of ancient celebrity, though at present of less distinguished eminence; this may in some degree, be owing to its secluded situation, being distant from any great road, having neither coaches, rivers, or canals to give it importance’.⁸ Cleobury lies almost half way between Ludlow and Bewdley, which was an important port on the Severn. Bridgnorth, which also had the advantage of sitting on the Severn, was fourteen miles away. The route to Ludlow was difficult, either having to traverse the very steep upper slopes of the hill or use a long and winding road on the lower slopes.

The roads were not of good quality. A road led up the steep Hopton Bank to Doddington but from there to Clee Hill village and on to Ludlow it was a simple track. The road from Cleobury to Ludlow on the lower slopes of the hill, via Milson and Caynham, was winding and steep in places. The main route out of Cleobury to Bewdley crossed a ford. There were few regular coach services – and these were often erratic. For example, in 1829 two carriers were listed: one to Bewdley, and one running services to Ludlow in one direction and to Bewdley and Kidderminster in the other, but there is no mention of frequency.⁹ A canal from Leominster to Mablethorpe was opened in the 1790s but closed in 1859 as it had never made any profit. It was sold and drained so that the land could be sold. It was planned originally as part of a link between Stourport and Hereford. At Mablethorpe, coal was brought down on tramways. Around the same time, in 1793, a canal was proposed to link Oreton lime works to the Severn in Highley. William Childe of Kinlet strongly resisted it passing over his estate, but eventually agreed to a tramway.

⁷ Plymley, *General View of the Agriculture of Shropshire*, p.44.

⁸ Hulbert, *History and Description of the County of Salop*, p.323.

⁹ “National Commercial Directory”, 1829, p.676.

3 Early history

3.1 Cleobury Mortimer

Cleobury Mortimer is mentioned in Domesday, though this seems to be the earliest mention. Several writers thought it to be the place identified by Florence of Worcester as the site of the battle in which Leofgar, Bishop of Hereford was killed in 1056, but this seems unlikely.¹⁰ Settlement at Cleobury, however, goes back much further. At Walltown (*Walle* in Domesday), just north east of Neen Savage, there are the remains of two Roman forts. Archaeological evidence shows remains, identified in 1960-61, of around 4.5 acres which were occupied for military use well before the first century AD, with subsequent civilian settlement in and around it, but abandoned sometime around the third quarter of the second century AD. These remains overlie a larger and earlier fort, suggesting a permanent military occupation of Wales much farther west than had previously been appreciated.¹¹ Even earlier than the Roman occupation, there are also believed to be the remains of a Danish camp, but of unknown history, and evidence of late Neolithic / early Bronze Age occupation.¹²

In Domesday, Cleobury Mortimer appears as *Claiberie*. The earliest known use of its current name is 1666,¹³ with over thirty recorded variants.¹⁴ Camden refers to it as *Cleybury*

¹⁰ The battle is described in the Anglo-Saxon Chronicles but no name is given to the site. A number of Victorian writers (including Auchmuty, Edward Freeman and Charles Hulbert) claim it was Cleobury. A 1592 printed edition of the *Florentii Wigorniensis Chronicon ex Chronicis* shows it as called *clafthbyrig*, but reference to the original MS in the library at Corpus Christi College, Oxford (MS157, folio 339) shows it written with an 'st' ligature as *clastbyrig*, strengthening the claims of Glastbury-on-Wye.

¹¹ L.C Lloyd, 'Excavation at the Roman Fort at Walltown Farm, Shropshire', *Transactions of the Shropshire Archaeological and Historical Society* 58 (1965), pp.8-18.

¹² H.R. Hannaford, 'An Archaeological Evaluation at the Lacon Childe School, Cleobury Mortimer, Shropshire - Report No. 39', Report No 39, 1993.

¹³ Shropshire Libraries, Local Studies Collection 6387, Shrewsbury .

¹⁴ Margaret Gelling, ed. *The Place Names of Shropshire: Part One – the Major Names of Shropshire* (Nottingham: English Place-Name Society, 1990), p.89.

and Leland as *Clebyri* and *Clebiry*.¹⁵ There is no general agreement on the derivation of the name, other than as the ‘manor by the Clee’ (a reference to the Clee Hills, which dominate the area). The suffix is from OE *byrig* (a castle, citadel or collection of houses) – but Clee could be from AS *clæg*, clay, or from *clēo* as OE for ‘ball shaped massif’, to describe the hill itself.¹⁶ It seems less likely that the name derives from AS *clifu* (the plural form of ‘a steep place’) or from AS *cleo* (as a form of *clea* – a claw).¹⁷

The Domesday Claiberie was a substantial settlement, with 45 households. A priest is recorded, which suggests that the church of St Mary the Virgin is pre-1086, though no traces of a Saxon church have been found.¹⁸ Domesday also includes reference to a mill. The manor had been held by Edith, wife of the Confessor, in her own right. According to Jane Croom, circumstantial evidence points to the church being a ‘mother church’ dependent on no other and suggests that in the eighth and ninth centuries Cleobury Mortimer comprised a *villa regalis* in its own right.¹⁹ Unusually, Cleobury Mortimer had at one time two castles: one in the centre of town by the church, the other to the east of the town at Castle Toote. One of the two was destroyed in the wars between Henry II and the rebellious barons,²⁰ but it is not clear which. Records show that Hugh II de Mortimer ‘came from overseas and resided at

¹⁵ William Camden, *Britannia, or a Geographical Description of Great Britain and Ireland*, trans. Edmund Gibson (London: Awnsham Churchill, 1722, 1586); Hearne, *The Itinerary of John Leland*, pp.13, 62.

¹⁶ Eilert Ekwall, ed. *The Oxford Dictionary of English Place-Names*, 3rd ed. (Oxford: Clarendon Press, 1947), pp.105-6; Victor Watts, ed. *The Cambridge Dictionary of English Place-Names* (Cambridge: Cambridge University Press, 2004), pp.142-3; Gelling, *The Place Names of Shropshire*, pp.89-90.

¹⁷ This latter suggestion is in Trevor Rowley, *The Welsh Border: Archaeology, History and Landscape* (Stroud: Tempus Publishing, 2001) who offers *clēo* as OE for ‘ball shaped massif’. There is no evidence of either topographical feature being particularly significant. Gelling offers no meaning and suggests it is uncertain.

¹⁸ Jane N. Croom, ‘The Fragmentation of the Minster-Parochiae of South-East Shropshire’, in *Minsters and Parish Churches: The Local Church in Transition, 950-1200*, ed. John Blair (Oxford: Oxford University Committee for Archaeology, 1988), pp.72,74.

¹⁹ ‘The Pre-Medieval and Medieval Human Landscape and Settlement Pattern of South-East Shropshire’ (Unpublished PhD thesis, University of Birmingham, 1989), p.148.

²⁰ Robert of Torigni, ‘Chronici Roberti de Torigneio’, in *Chronicles of the Reigns of Stephen, Henry II and Richard I*, ed. Richard Howlett (London: 1889), p.184.

Cleobury' in 1172, which suggests the castle was rebuilt between 1155 and 1172.²¹ However, it may be that the town castle was much smaller than the one at Castle Toote, which in turn was the one that was destroyed, being more defensive in nature. It also seems likely that the one by the church was more in the nature of a fortified manor. That the residence had some importance is evidenced by the fact that Mortimer died at Cleobury.²² However, there is no further reference in known mediaeval records to a castle at Cleobury: an inquisition post-mortem of Edmund de Mortimer in 1304 fails to mention any castle.²³ Whatever it was, or remained, it was destroyed by fire in 1776 and the site subsequently landscaped, divided and occupied by cottages and gardens, some owned by Thomas Pope, surgeon, of whom more later.²⁴

Other than the royal connection, there appear to be no sound reasons why Cleobury Mortimer is where it is. There are no obvious topographical features, no mineral deposits and no defensive needs. However, it may simply be that a settlement grew up around The Wells – a continuous, 'never failing', source of fresh water below the church.²⁵ The earliest record of a fair is in a charter granted by Henry III to Hugh de Mortimer II in 1226.²⁶ In the early thirteenth century, Cleobury was thriving and the urban settlement was growing. A total of 102 ³/₄ burgages were recorded in 1304, many still visible.²⁷ The earliest record of a market

²¹ J.C. Dickinson and P.T. Ricketts (eds.), 'The Anglo-Norman Chronicle of Wigmore Abbey', *Transactions of the Woolhope Naturalists' Field Club* 39 (1967-9), p.434 .

²² *ibid*, p.436.

²³ TNA C133 114/8 Inquisition post-mortem of Edmund de Mortimer, 32-33 Edw I.

²⁴ S. Priestley (Border Archaeology), 'Documentary Survey and Emergency Archaeological Recording at No.4 Castle Hill, Cleobury Mortimer', 2006.

²⁵ Southern, 'The Birthplace of England's Earliest Bard', p.487. The source of the water was traced to an ancient well underneath the churchyard! In 1883, concerns about typhus and cholera led to a ban on burials within 42 yards of The Wells and the churchyard was eventually closed in 1895, although the supply was believed still to be in use in the 1940s, when in 1944 it was found to be biologically contaminated. The Wells mysteriously dried up in 2011 (*Shropshire Star*, January 24th 2011) and may have dried up on other occasions previously.

²⁶ John Corbet Anderson, *Shropshire: Its Early History and Antiquities* (London: Willis and Sotheran, 1864), p.279.

²⁷ TNA C133 114/8 I.

charter is 1362.²⁸ Sometime after that, however, the market fell into abeyance – Leland describes *Mortimers Clebyri* as a ‘poor village’ and wrote that there were no market towns in the Clee Hills.²⁹ There are probably two reasons – firstly, the growing importance of nearby Ludlow which was a substantial settlement; and, secondly, the extinction of the Mortimer male line with the death of Edmund, 5th Earl of March in 1425. The Mortimer estates then passed to Richard, Duke of York and Cleobury Mortimer was no longer the centre of a ‘private empire’, merely part of a very large widely dispersed holding. Little is known of Cleobury during the remainder of the fifteenth century. In the sixteenth, there were burgesses in 1580,³⁰ and evidence that the manor had been granted to Robert Dudley by Elizabeth I in 1563.³¹ In 1608, the manor was acquired from the Crown by Sir Francis Lacon, who obtained a grant from James I for a weekly market and three annual fairs.³² These were still being held when Plymley was writing in 1813,³³ although by 1911, when Auchmuty wrote his history of the town, only a May fair survived.³⁴ Under the ownership of the Lacon-Childe family, Cleobury Mortimer enjoyed steady growth until the end of the nineteenth century. During the first half of that century, some of the estate was sold off, including the castle grounds, which probably accounts for an increase in the number of new buildings.³⁵

Cleobury Mortimer’s great claim to fame is as the birthplace of William Langland, author of *The Vision of Piers Plowman*.³⁶ Whilst there are competing claims, recent research

²⁸ Samantha Letters, ‘“Shropshire”, Gazetteer of Markets and Fairs in England and Wales to 1516’ (2005) URL: <http://www.british-history.ac.uk/report.aspx?compid=40432> [Accessed July 7th 2014].

²⁹ Hearne, *The Itinerary of John Leland*, p.62.

³⁰ Mrs F. Childe, ‘Cleobury Mortimer’, *Transactions of the Shropshire Archaeological Society* 2 (1879), p.47 – quoting a survey of 23 Elizabeth I [Dukes’ MSS].

³¹ Mrs Baldwin Childe, ‘Notes on Kinlet’, *idem* 8 3rd series (1908), pp.92-5.

³² Mrs F. Childe, ‘Cleobury Mortimer’, *idem* 2 (1879), pp.48-49.

³³ Plymley, *General View of the Agriculture of Shropshire*, p.336 .

³⁴ Revd. S. Forbes Auchmuty, *The History of the Parish of Cleobury Mortimer* (Cleobury Mortimer: M & M Baldwin, 1996, 1911), p.9.

³⁵ Childe, ‘Cleobury Mortimer’, pp.48-49.

³⁶ Kane, George. ‘Langland, William (c. 1325–c. 1390), poet.’ *Oxford Dictionary of National Biography*. 23 Sep. 2004. <https://www.oxforddnb.com/view/10.1093/ref:odnb/9780198614128.001.0001/odnb-9780198614128-e-16021> [Accessed August 27th 2014].

provides a convincing argument, but more likely to be somewhere in the vicinity of Kinlet just to the north.³⁷ It has long been a locally-held tradition that Langland was educated at the Augustinian friary at the Woodhouse, founded in 1250.

There is little of note in the history of the other parishes of the union which has bearing on the operation of the poor laws, but for completeness a brief background follows for each. Other than Highley which is a quite large modern settlement, they are all small rural hamlets.

3.2 Other villages

Aston Botterell

Sitting between the River Rea to the east and Brown Clee Hill to the west, it lies to the north west of Cleobury Mortimer. Its name comes from OE for ‘east town’ and Thomas Botterell, Lord of the Manor in the mid-thirteenth century. It is mentioned in Domesday as ‘*Aston*’ (fourteen households, one hide). It was granted a market charter in 1264 but never developed and today is made up of isolated farms which may mark the sites of mediaeval hamlets. The eighteenth-to-nineteenth-century parish was much larger than today’s civil parish, as it included Norton and Charlcombe. Lying on the Old Red Sandstone, it provides good farming conditions and has always relied on agriculture. During the eighteenth century, water-powered industry was important, with corn-mills, one of which became a blast furnace and a paper mill – all gone by the mid-nineteenth century – with a few brickyards around that time. By the end of the research period, the population was only 171 in thirty-five houses.³⁸

³⁷ Gwyneth Nair and David Poyner, 'Concerning the Langland Family of Kinlet', *Transactions of the Shropshire Archaeological and Historical Society* 84 (2009).

³⁸ John Marius Wilson, *The Imperial Gazetteer of England and Wales: Embracing Recent Changes in Counties, Dioceses, Parishes, and Boroughs: General Statistics: Postal Arrangements: Railway Systems, &C and Forming a Complete Description of the Country.*, 6 vols. (Edinburgh: A. Fullarton & Co., 1877).

Bayton

Bayton lies in Worcestershire, on the western slopes of Clows Top, south of Cleobury Mortimer. Mentioned in Domesday as ‘*Betune*’ (nineteen households, three and a half hides), then variously ‘*Bertone*’ (12C), *Beyton* (1275) and *Baynlon* (1339). Probably from Anglo-Saxon ‘*Bagantun*’ – *Baega*’s town.³⁹ It is quite hilly, standing 700 feet above sea level. It was enclosed in 1814.

More than three-quarters was permanent grass land with only around 360 acres given to arable farming. Bayton is on the very edge of the Wyre Forest coalfield. Although mining did not develop in earnest until the early 20C, sulphurous coal was mined since the Middle Ages, along with clay and ironstone. The population changed little in the nineteenth century (from 400 to 450) and the majority of the 100 or so houses were owned by relatively few.⁴⁰ The important estate of Shakenhurst lies in the parish.

Coreley

Lying on the lower slopes of Brown Clee Hill, Coreley is a largely farming community centred round a dispersed village, formerly part of the estates of the earl of Craven. In Domesday it was listed as ‘*Cornelie*’ with eight households, two hides. The name is believed to derive from OE ‘*corn*’ (a crane or heron) and ‘*lēah*’ (a clearing in woodland). By the end of the nineteenth century the population had increased slightly when coal, granite and ironstone were being worked but up to then the principal occupations were agricultural or labouring.

³⁹ W.H. Duignan, *Worcestershire Place Names* (London: Henry Frowde, 1905).

⁴⁰ ‘Bayton CP/AP through time, Population Statistics’, *A Vision of Britain through Time*. URL: http://www.visionofbritain.org.uk/unit/10326679/cube/TOT_POP [Accessed November 19th 2018]; Wilson, *Imperial Gazetteer of England and Wales*.

Farlow

Shown as 'Fernelau' – from OE '*fearn*' (fern) and '*hlaw*' (a hill) – in Domesday, Farlow was an exclave of Herefordshire, as part of Leominster, so there is no separate data to indicate how large it was at the time. Until 1854, it was not a separate parish, but was a chapelry of Stottesdon. The township itself had a population of around 350 in 1841 but the chapelry, which was more extensive, accounted for around 600 by 1871.⁴¹

Well away from traditional cotton spinning areas, a cotton mill was established at Farlow in 1794.⁴² Prescott Old Forge (Rotherham Forge) had gone bankrupt and the cotton mill was built in its place. It was typical to reuse a water-powered forge and save money. The enterprise seemed to be successful – certainly enough to support a Methodist meeting house and the owner, John Glover, built a workhouse next to factory (presumably to ensure a supply of child workers). Glover was a serial entrepreneur and had too many ventures to manage. The mill fell into difficulties and was disused by 1808 – when Glover was made bankrupt. It was offered for sale in 1823 as a 'working' mill but there are no records to show that it was still in operation – other than the parish registers which suggest there were workers.

Highley

Included in Domesday as *hugelei* - Hugge's *leah* (OE for wood or forest, or a clearing in a wood or forest) and in 1228, Huggeleghe,⁴³ it later became Higley then Highly. Highley today is a quite large settlement due to the establishment of coal mining in the vicinity at the end of the nineteenth century and the consequent arrival of the railway, though both are long

⁴¹ Idem.

⁴² David Poyner, 'Farlow Cotton Mill', *Cleobury Chronicles* 7 (2004), p.10-22.

⁴³ *Patent Rolls of Henry III: Ad. 1225-1232*, (London: HMSO, 1903), p.223.

gone. A massive influx from 1900-1920 increased the population from its nineteenth-century average of 400 or so to over 2,000.

Hopton Wafers

A small hamlet at the foot of the Clee Hill, it gets its name from OE *hop* and *ton* – the village in the hollow of the hills – and Robert le Wafre who held the manor. Home to seven households at Domesday, the village has grown to around forty today, with a similar number dispersed throughout the parish. The nineteenth-century population was around 420. The manorial estate was re-consolidated in the early 1800s by Thomas Botfield who rebuilt the church in 1824, the only non-Norman church in the area. Hopton Wafers was home to William Betty, *quondam* juvenile actor, known as the ‘infant Roscius’. Hopton Wafers had a free school.⁴⁴

Adjoining the parish is the extra-parochial tract of Woodhouse, site of a former Augustinian friary which may have been the school attended by William Langland. For a time, it may have been the smallest civil parish in the country and the owner of the estate, William Purton, despite his protests, was required to appoint an overseer of the poor in 1862 for his family of four and five servants none of whom, as he pointed out, were poor.⁴⁵ The tract was incorporated into the civil parish of Hopton Wafers in 1868.⁴⁶

⁴⁴ Wilson, *Imperial Gazetteer of England and Wales*.

⁴⁵ TNA MH 12/9886 Correspondence, between William Purton and the Poor Law Board, *Correspondence*, January 1862; the requirement was introduced in 20 Vict. c.19 *An Act to provide for the relief of the Poor in Extra-parochial Places* 1857.

⁴⁶ 31 & 32 Vict. c.122 *An Act to make further Amendments in the Laws for the Relief of the Poor in England and Wales* 1868.

Kinlet

Called *Chinlete* in Domesday, the manor was held originally by Edith, wife of Edward the Confessor as land in the control of the king, so doubtless *King's Let*. It was quite large with twenty-three households. The Kinlet estate was held by the Mortimer, de Brompton, Cornwall families and, from the late fifteenth century, the Blount families, whose best-known member, possibly, was Elizabeth Blount, mistress of Henry VIII and mother of his only acknowledged illegitimate child.

The population, over 70 percent of whom were labourers and servants in 1831, declined markedly from 600 in 1801 to around 430 in 1870.

Loughton

Loughton was a chapelry originally in the parish of Chetton but later consolidated with Wheathill. In 1824, the population was 119 in 23 houses.⁴⁷ There was a general decline and by 1871 it was only 100 people in 18 houses yet there was a national school.⁴⁸

Mamble

One of the three Worcestershire parishes in the union, this is the only known place with the name Mamble. It is very old: traces of a Roman aqueduct and pavement were found, along with an entire brick-kiln. It is found as '*Momela*' in the late tenth century, '*Mamele*' in Domesday, and '*Momele*' in 1275. The derivation is not known but is unlikely to be from ME '*mamelen*' to talk nonsense. In 1870, only two people owned the land. Sodington, the ancient seat of the Blounts, was burnt in the civil wars of Charles I and was taken down in

⁴⁷ T. Gregory, *The Shropshire Gazetteer, with an Appendix, Including a Survey of the County* (Wem: Gregory, 1824).

⁴⁸ Wilson, *Imperial Gazetteer of England and Wales*.

1807. The area is mainly agricultural, but coal mining was important from the fourteenth century until 1972. A canal was dug in the early 1790s from Leominster to transport coal but proved to be unprofitable and was closed in 1859, when the population reduced by fifty or so to return to its 1801 level of 330

Milson

Originally Mulstone (variously Milston, Multon, Mulston, Mylstone) with six households at Domesday, this small parish grew to thirty houses in 1824 and was annexed to the rectory of Neen Sollars. Only one thousand acres or so, the property was much subdivided.

Neen Savage

A dispersed hamlet and the site of an abandoned mediaeval settlement. The name comes from *Neen* (old name for the river Rea) and *Le Savage*, a presumed descendant of Ingelrann who held it at Domesday. The parish also contains the manor of Stepple mentioned in Domesday. In the seventeenth century many large houses were built, eg. Stepple, Detton, Nethercot, Overwood, Elcot, Wall Town, The Lodge and Stonehouse. In 1848, there were coal mines and limekilns, and a paper mill was said to employ forty hands.⁴⁹ Population at the time was 490 inhabitants. In 1872 there was an endowed school with £24 a year, and charities worth £16 pr annum, one of which is still in operation today.⁵⁰

Neen Sollars

The hamlet of Neen Sollars lies three miles south of Cleobury Mortimer. Known as *Neen Baldwin* until about 1200, the name comes from *Neen* (as with Neen Savage, the old name for

⁴⁹ Samuel Lewis, *A Topographical Dictionary of England*, 7th ed., 4 vols. (London: S. Lewis, 1848).

⁵⁰ Wilson, *Imperial Gazetteer of England and Wales*.

the river Rea) and *de Solers* (members of the family married Elena and Eustacia Baldwin). It was home to Humphrey Conyngsby, a noted traveller in the late sixteenth century. The population in 1824 was 231 inhabitants in forty-two households, but declined somewhat towards the middle of the century.⁵¹ The parish was home to a national school.⁵²

Rock

The third of the Worcestershire parishes, Rock lies to the east of Cleobury Mortimer and contains the Domesday manors of Alton and Coneyswick. The name is thought to derive from the rock on which the church stands, but only since the sixteenth century as ‘Roke’: it is rare to find a parish with such a late name. Originally thought to be called *Ak* (*OE* tree), after a preaching oak traditionally said to be where St Augustine met the Welsh bishops. Rock is an extensive parish and in 1848 was home to just under 1400 inhabitants. The parish included the village of Heightington, the constable wicks of Alton, Lower Lindon, Upper Lindon, Hollin-with-Stilton, Rock-with-Sneade, and Moor-with-Conningswick, and part of the chapelry of Far-Forest. The parish covered an area similar to that of Cleobury Mortimer, with a higher total rateable value. The population grew from 1,200 at the beginning of the nineteenth century to 1,500 by 1871. Despite there being no sizeable township, the area was characterised by the high proportion of ‘middling sorts’: in the 1831 census, this was 43 percent compared with only 37 percent for Cleobury Mortimer (there were also 40 percent more employers and professionals). There were some small mines in the area, two endowed schools with £10 a year, and alms-houses with £20.⁵³

⁵¹ Lewis, *A Topographical Dictionary of England*.

⁵² Wilson, *Imperial Gazetteer of England and Wales*.

⁵³ *Idem*.

Silvington

A very small parish on the north side of Clee Hill, with only nine households in 1824 and a population in 1871 of forty-seven.⁵⁴

Stottesdon

The name is possibly OE *stod* (an enclosure or area for horses) and *dun* (hill) and has been variously referred to as Tottendon and Suttlesdon. At Domesday, it was a very large settlement with fifty households, a mill and a church – slightly larger than Cleobury Mortimer – formerly in the possession of Earl Edwin. The church had been given to Shrewsbury Abbey by Earl Roger and was separately held in 1086, identifying it therefore as a Saxon minster foundation.⁵⁵ During the early nineteenth century the parish rivalled Cleobury Mortimer for population at 1,217 inhabitants, but with no noted industry though there were a few mines, quarries and lime-works.

Wheathill

Wheathill itself does not appear in Domesday, though the nearby manor of Ingardine, with one household, does. At one time, Wheathill had supported a weekly market and an annual fair, although long gone by the late eighteenth century.⁵⁶ The population of Wheathill was around 140 in 20 households.

⁵⁴ Gregory, *The Shropshire Gazetteer*.

⁵⁵ Croom, 'The Pre-Medieval and Medieval Human Landscape and Settlement Pattern of South-East Shropshire' p.147.

⁵⁶ Lewis, *A Topographical Dictionary of England*.

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10 Geo. II c.28 *An Act to explain and amend so much of an Act made in the twelfth Year of the Reign of Queen Anne, intituled, An Act for reducing the Laws relating to Rogues, Vagabonds, sturdy Beggars and Vagrants, into one Act of Parliament; and for the more effectual punishing such Rogues, Vagabonds, sturdy Beggars and Vagrants, and sending them whither they ought to be sent, as relates to common Players of Interludes*, 1736

17 Geo. II c.5 *An act to amend and make more effectual the laws relating to rogues, vagabonds, and other idle and disorderly persons, and to houses of correction*, 1743

17 Geo. II c.5 *An Act to amend and make more effectual the Laws relating to Rogues, Vagabonds and other idle and disorderly Persons, and to Houses of Correction*, 1744

22 Geo. 3 c.83 *An Act for the better relief and employment of the poor*, 1782

35 Geo. III c.101 *To prevent the removal of poor persons until they shall become actually chargeable*, 1795

43 Geo. III c.58 *An Act for the further Prevention of malicious shooting s.3*, 1803

55 Geo. III c.137 *An Act to Prevent Poor Persons in Workhouses from embezzling certain Property provided for their Use; to alter and amend so much of an Act of the thirty sixth Year of his present Majesty, as restrains Justices of the Peace from ordering Relief to Poor Persons in certain cases for a longer period than One Month at a Time; and for other Purposes therein mentioned, relating to the Poor*, 1815

58 Geo. III c.69 *Act for the Regulation of Parish Vestries* 1818

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